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MINUTES

of the

EXECUTIVE COUNCIL

JAMES, DUKE OF YORK, AS JAMES II.

From the Original Painting by John Riley in the National Portrait Gallery, London.

(Original measures 47⅜ by 38½ inches.)

MINUTES of the EXECUTIVE COUNCIL of the Province of New York

Administration of Francis Lovelace
1668-1673

Volume I
MINUTES

COLLATERAL AND ILLUSTRATIVE
DOCUMENTS
I–XIX

Edited by VICTOR HUGO PALTSITS, *State Historian*

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Facsimile of the Title Page of Daniel Denton's "Brief Description of New-York," 1670 . . . . . Opposite p. 132

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A Page of the Council Minutes, showing the lower quarter rotten and the writing faded . . . . . Opposite p. 137

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Plan of Manhattan Island and Environs, with an Inset Plan of New York City, *circa* 1665..... In Pocket.

From the original manuscript in the British Museum, London, England, Additional Manuscripts, No. 16371. It is the so-called Nicolls map, a name given to it because produced while Richard Nicolls was governor of New York. It is the largest extant *plan* of Manhattan Island made during the English colonial period, and is reproduced here in exact size of the original.

KEY TO ABBREVIATIONS

This key is designed to elucidate only the more abstruse abbreviations and contractions that occur in these two initial volumes to assist the amateur in reading the texts. The writers of the original manuscripts did not always mark contractions as custom demanded and they were not particularly consistent when they did mark them. In these volumes the texts are printed as closely *verbatim et literatim et punctuatim* as typography will allow. The contraction mark is usually placed on or over the letter which immediately precedes the place of elision ; but there are exceptions. Perhaps the commonest survivals of signs that have come down to the present day are & (and), a cursive writing of the Latin word *et;* and ℘ (Per).

A mark over a letter sometimes indicates that it is doubled, as in cõmonly, ruñe, Sumes.

Adm̃to^{rs} = Administrators.

al̃s = alias.

b̃ = syllable *ber*, as in Hib̃niæ (Hiberniæ), Rob̃t (Robert), Decemb̃, (December).

C. A. = an editorial designation for the manuscript records of the Court of Assizes, vol. 2, in the New York State Library.

Col. MSS. = an editorial designation for the volumes of New York Colonial Manuscripts in the New York State Library.

Co^{ll} and Coll: = Colonel.

Com̃^{ners}, Com$^{m̃rs}$, Comñ^{rs} and Com̃^{rs} = Commissioners.

Comp^{lt} = Complaint.

c̃on = syllable *tion* in words that have it.

Def^{t} = Defendant.

D$^{n̄e}$ = Domine.

Dn̄i = Domini.

G. E. = an editorial designation for the manuscript volumes of General Entries, vols. 1 and 4, in the New York State Library.

Geñ^{all}, Geñ^{ll}, Geñ^{rall} and Geñ^{rll} = Generall.

Gent̃. = Gentleman, Gentlemen.

grã = gratia (p. 286).

Im̃ = Item.

Inh̃itants = Inhabitants (p. 231).

int̃ = inter (between).

1^{ll} : 18^{s} : 00^{d} = One pound, eighteen shillings and no pence, English money.

Ł̃res = Letters.

Mag̃rate = Magistrate.

Mã^{ties} = Majesties (Majesty's).

O. W. L. = an editorial designation for the manuscript volume of Orders, Warrants, Letters, vol. 2, in the New York State Library.

p̃ and p = syllables, *par*, *per*, *por*.

Ꝑ and p = syllable *pro*.

Petñ^{rs} = Petitioners.

P^{lts} = Plaintiffs.

po^{d} = pound (p. 148).

p̃nts = presents (p. 235).

q^{ꝫ} = syllable *que*, as in Annoq^{ꝫ} (Annoque), Publiq^{ꝫ} (Publique); also used as a contraction in Esq^{ꝫ} (Esquire).

Richh = Richard.

s^{d} = said.

Southh̃ton = Southampton.

v̄ and v̇ = syllable *ver* in Dutch texts.

w^{ch} = which.

Xp̃ians = Christians.

y = a survival and modification of an Anglo-Saxon letter, whose value is *th*, and it is always so pronounced when written in the words y^{e} (the), y^{t} (that), y^{m} (them), y^{n} (then), y^{y} (they).

Opposite p. 11.

AUTOGRAPHS OF THE FIRST AND SECOND ENGLISH GOVERNORS OF NEW YORK.

(Exact Size.)

INTRODUCTION

THE Minutes of the Executive Council of the Province of New York span more than a century of time. They embrace virtually the entire English colonial period of New York, and represent official administrative materials of the first magnitude.[1] But the body of these minutes has never been printed *in extenso*, whilst selections of only a very small part have appeared in various works in unsystematic relations and with many textual inaccuracies.[2]

It has been deemed pertinent, in presenting the initial volumes for the consideration of historical students, to offer a detailed statement of plan and editorial methods. Transcription has been done with the strictest regard for accuracy and in accordance with the best canons of historical documentation. The State Historian has himself copied the body of the minutes printed in this volume, as well as a large number of accompanying documents, and has reviewed and revised all transcripts directly from the originals. Likewise, he has read the printer's proofs with the original manuscripts. He has selected and systematized the documents; has written all of the annotations, and planned the mechanical coördination of the material for the printer. A special archivist's key-board was con-

[1] A calendar of the minutes was published, in March, 1902, as *Bulletin* 58 of the New York State Library, which is designated more particularly as No. 6 of the library's history series.

[2] For example, in *Documents relative to the Colonial History of the State of New York*, vols. 12–14, embracing selections for the years 1668 to 1683.

structed for the typewriter and special sorts of abbreviations were designed for punches for the printer.

Brevity and crudity characterize these minutes — hence they are very often involved or unintelligible. Business determined in council, but not engrossed in the minutes, has been found in the volumes of general entries. Great pains have been taken in studying and interpreting the materials. The business in council originated from litigations, petitions, complaints, letters and other papers which came before the governor and his associates for consideration; and the proceedings in council gave origin to commissions, court cases, orders, warrants, letters, licenses, passes, proclamations and other official papers. In order to revivify the minutes and restore the administrative history of the period, the engrossed miscellaneous records,[1] engrossed deeds,[2] and original colonial manuscripts [3] were combed over several times for the collateral documents which, more or less veiled, are referred to in the minutes, and for other records which are quite as illustrative of the matters discussed and adjudicated. These two classes of records have been brought together in cases or groups as "Collateral and Illustrative Documents." They are placed after the body of the minutes; are authenticated properly as to source, and each case or group has been given a distinct roman number. The discovery of this accompanying material, often dimly discernible as to its relationship, has involved a great task and has consumed much time. The engrossed records are proof that they

[1] Known as *Orders, Warrants, Letters*, vol. 2; *General Entries*, vols. 1 and 4; *Court of Assizes*, vol. 2, including miscellaneous records as well as the court records. In Archives of the New York State Library.

[2] In the office of Secretary of State, from which a few patents were also procured.

[3] Volumes of the heterogeneous collection known as *New York Colonial Manuscripts*, in the archives of the New York State Library.

were entered often days, sometimes months and even a year or more after the date of their origin. Whenever a subject appears in the minutes which can be elucidated by related records, reference is made in a foot-note of the minutes to the proper numerical group or groups of the "Collateral and Illustrative Documents."

The council minutes in this volume cover the period during which Colonel Francis Lovelace was governor under the Duke of York, from the first convening of the council, on September 2, 1668, until interruption just before the retaking of New York by the Dutch, in the summer of 1673. It is known that Colonel Richard Nicolls, who was the predecessor of Lovelace from August, 1664, until about August, 1668, had an advisory council; but no minutes exist for that period, and no evidence has been found that distinctive minutes were kept. The executive acts of Nicolls are available in general entries and correspondence, and the minutes of the court of assizes for the period reveal functions similar to those afterwards embodied in regular council minutes. The court of assizes, in fact, acted as a law making body. So that, notwithstanding the prescriptions in the code known as the Duke of York's laws, there were provisions that appear not to have become immediately operative.

The annotations to the council minutes are designed particularly as supplementary data. They add to the understanding of the material and intensify the personnel of the records. A real difficulty was encountered in keeping that part of the work within reasonable limits, on account of the superabundance of data that had been gathered for editorial service. The annotations usually authenticate themselves. They are derived from original manuscripts and engrossed records of the State preserved in the archives

of the New York State Library and the office of the Secretary of State. The printed local records of the jurisdictions of the period have been consulted, and some hundreds of such secondary works as county and town histories and genealogical publications have been examined. It is manifest that these secondary works cannot be guaranteed for every statement quoted. They vary greatly as to value, but they do at times supply important sidelights and furnish creditable data not otherwise obtainable in print. They have been used cautiously and often are merely suggested at the end of a note. It has not been my purpose to write biographical or genealogical notes. That feature is incidental to the main object. I have sought to illustrate who the persons were, in their bearing and relations to the events in which they figure in these particular minutes and generally within the period embraced by the administration of Governor Lovelace. But it has been deemed wise at times to extend the period at both ends in the interest of lucidity. It would have rejoiced me much to have carried on these investigations among the unpublished original local records of New York City, and the old settlements of Long Island, Westchester, Ulster and Albany counties. Such investigation would have led also far afield, into the colonial archives of neighboring colonies and the records of the Public Record Office, in London. Lack of time, money and assistants were sufficient reasons for waiving such a herculean task. The chief result of such extended inquiry would have been a more intimate exhibit of intercolonial relations, local conditions, and the status of particular litigations in courts of sessions, before they were handed up to the governor and council or to the court of assizes. The bodies of early court records of colonial New York

should be published independently as an organic whole.[1] In this work, the minutes of the court of assizes have been quoted in the annotations. But one exception has been made, in the case of Richard Smith against the town of Huntington, because that controversy persisted through some years, in council and in courts. A full transcript of that case from the minutes of the court of assizes has been included with the other collateral papers of the period.

It is regrettable that there are gaps in the related documents and that imperfections in others mar the continuity of evidence. Ignorance, vandalism and war have contributed their share of havoc in the past, and it is remarkable that so many of the records yet remain.[2] In compliance with a joint resolution of the legislature, passed February 18–19, 1819, many of the records, then in the office of the Secretary of State, were rebound. The set of council minutes and the related volumes of general entries were among them. But as the lettering of the bindings was done carelessly, titles were transformed and sets became mixed.[3]

The council minutes now printed in this volume cover one hundred and fifty-nine pages of a small folio volume lettered "COUNCIL/MINUTES/3/1668–1678/SECRYS/OFFICE." The volume has also an early manuscript index, for 1668–1673, of eleven unnumbered pages. This constitutes part i. Part ii begins with October 31, 1674, and ends with the session of November 30, 1678, and has one

[1] For example, I have planned to collect from various places those of the court of assizes, to form a future publication.

[2] See *Tragedies in New York's Public Records*, by the present State Historian, in *Annual Report* of American Historical Association, 1909.

[3] An account of these records was printed as Senate Document, No. 2, entitled: *Report of the Secretary of State relative to the Records, etc. in his Office.* Albany, 1820. Folio, 43 pp. Many of them were removed to the New York State Library, by act of legislature, passed April 19, 1881 (*N. Y. Laws*, 1881, ch. 120).

hundred and eighty-eight pages and an early index of fifteen unnumbered pages. The volume number does not appear in the manuscript, but on preliminary blank leaves are found, in early handwritings: "Matters Relating to Council 1668. to 73", and "Matters of Councell." During the rebinding, already referred to, "General Entries 1664–65" [1] and "Court of Assize, 1665–72" were lettered as 1 and 2, respectively, of a set of thirty-three volumes of council minutes and general entries, which caused the first volume of council minutes to be dubbed as 3. The minutes of the intervening Dutch control (1673–4), are in *New York Colonial Manuscripts*, vol. 23, pp.1–270, and have been translated and printed in *Documents relative to the Colonial History of the State of New York*, vol. 2, pp. 569–730. Toward the end of the second part of the so-called third volume another interruption in the minutes occurs from November 10, 1677, to August 17, 1678, including the period of the visit of Governor Edmund Andros to England and the temporary régime of Captain Anthony Brockholls. A few minutes for this period are found in *New York Colonial Manuscripts*, vols. 26 and 27. A volume of "General Entries" (1671–1674), having been lettered as 4,[2] the next volume of the minutes for 1683 to 1688 is marked as 5, producing a gap from 1678 to 1683, part of which, to November 19, 1680, is supplied in *New York Colonial Manuscripts*, vols. 28 and 29, whilst executive acts are recorded in "General Entries" (1678–1680), lettered as vol. 32, and in "Entries" (1682–1683), lettered as vol. 33. Another

[1] Printed and abstracted as *History Bulletin*, No. 2 (May, 1899), of the New York State Library.

[2] Really vol. 4 of the miscellaneous engrossed records. In 1772, a vol. 4 of the council minutes was yet in the secretary's office, covering from December, 1678, to September, 1683. This is now missing and its whereabouts is unknown.

hiatus in the minutes occurs between vol. 5, breaking off with the last council under Governor Thomas Dongan, August 2, 1688, and vol. 6, which begins with the first council under Governor Henry Sloughter, on March 19, 1691. The State has no regular minutes for the first year of this period when New York was united with New England under Governor Edmund Andros, but the administration of Jacob Leisler, for the years 1689 to 1691, is represented by a few minutes and many letters, commissions, appointments, orders, accounts, etc., in *New York Colonial Manuscripts*, vol. 36. Beginning with vol. 6, the minutes form virtually an uninterrupted series till February 14, 1776, inclusive. There are also a few minutes of councils of Governor James Robertson and Lieutenant Governor Andrew Elliott, from March 23, 1780, to November 19, 1783, of sessions in New York City during the British occupation.[1]

When the first regular colonial legislature [2] was convened, in 1691, by Governor Sloughter, the council became a legislative body, coördinate with the assembly, but continued also its executive sessions. Its legislative minutes have been printed in two large volumes, as *Journal of the Legislative Council of the Colony of New-York. Began the 9th day of April*, 1691; *and ended the 3d day of April*, 1775 (Albany, 1861). The executive and legislative minutes were first entered, reversed, in vols. 6 to 8, the legislative minutes occupying the end of each volume. In vol. 6 were entered

[1] As the governors of the royal colonies were required to transmit regularly to England copies of council proceedings, among other official records, for approval and information, many of them are yet preserved in the Public Record Office, London, among the Colonial Office Papers, Class 5. Some of the gaps that appear in the State's archives, after 1686, it will be possible to supplement from this source. See Andrews. *List of the Journals*, etc., pp. 477, ff., in Appendix D. Ninth Report of the Public Archives Commission of the American Historical Association, 1908.

[2] There was of course a representative assembly as early as 1683.

also the minutes of the council in its judicial capacity, for 1687–1688, and in vol. 7 the proceedings of the court of oyer and terminer, for 1679–1685. The executive and legislative functions were mingled in vols. 9 to 17 (1702–1736), and the legislative minutes that have been printed were marked at the time of publication by a pen or pencil line in the margins of the manuscripts. Vols. 18, 20, 22, 24, 27, 28, and 30 contain only legislative minutes and were printed entire in 1861. Vols. 19, 21, 23, 25, 26, 29, and 31 complete the quota of engrossed executive council minutes. But the State has besides the engrossed minutes parts of two extra sets. The second set is made up of rough copies in blank books and, allowing for some breaks, covers the years 1709 to 1776. The third set contains the original drafts of the proceedings on loose sheets, from 1754 to 1775.[1] So it will appear evident that the proper editorial supervision of the executive council minutes, for a large period, will require a careful collation of two or three sets owned by the State and the minutes, after 1686, in the Public Record Office, London. Only by this procedure can a standard text be established. Added to this task is the selection and proper coördination of the miscellaneous engrossed and original documents for the entire body of minutes, commensurate with the plan outlined and put into execution in these initial volumes. The State could not do itself greater honor than to encourage the persistent prosecution of a work so important for students and so desirable to rehabilitate her administrative history during the entire English colonial period.

VICTOR HUGO PALTSITS
State Historian

Albany, *July* 27, 1910.

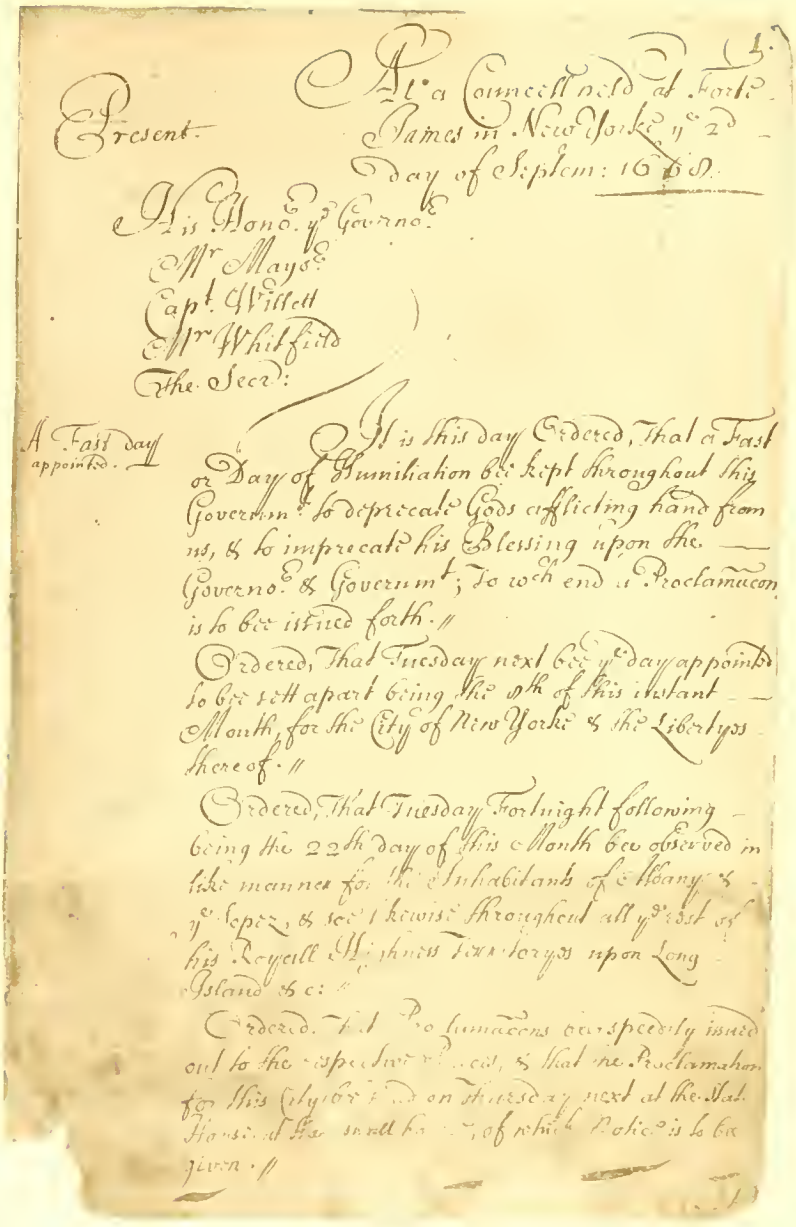
[1] *Calendar of Council Minutes* (Albany, 1902), p. 3, ff.

MINUTES

1668–1673

19

Opposite p. 21



A Councell held at Fort James in New Yorke y^e 2^d Day of Septem: 1683.

Present.

His Hono^r y^e Governo^r
Mr Mayes
Capt Willett
Mr Whitfield
The Secr:

A Fast day appointed.

It is this day Ordered, That a Fast or Day of Humiliation bee kept throughout this Govern^m^t to deprecate Gods afflicting hand from us, & to implecate his Blessing upon the Governo^r & Govern^m^t; To wch end a Proclamacon is to bee issued forth.

Ordered, That Tuesday next bee y^e day appointed to bee sett apart being the 9th of this instant Month, for the City of New Yorke & the Libertyes thereof.

Ordered, That Tuesday Fortnight following being the 22th day of this Month bee observed in like manner for the Inhabitants of Albany & y^e Lopez, & soe likewise throughout all y^e rest of his Royall Highnes Territoryes upon Long Island &c:

Ordered, That Proclamacons bee speedily issued out to the respective Sheriffs, & that the Proclamation for this City bee read on thursday next at the Hall. Hous[e] at [illegible] of which Notice is to bee given.

FIRST PAGE OF THE COUNCIL MINUTES.

(Reduced from 11½ by 7¼ inches.)

[1] At a Councell held at Forte James in New Yorke y^e^ 2^d^ day of Septem: 1668.

Present.

His Hono^r^ y^e^ Governo^r^
M^r^ Mayo^r^
Cap^t^ Willett
M^r^ Whitfield
The Secr̃:[1]

It is this day Ordered, That a Fast or Day of Humiliation bee kept throughout this Governm^t^ to deprecate Gods afflicting hand from us, & to imprecate his Blessing upon the Governo^r^ & Governm^t^; To w^ch^ end a Proclamac̃on is to bee issued forth.// [2] A Fast day appointed.—

Ordered, That Tuesday next bee y^e^ day appointed to bee sett apart being the 8^th^ of this instant Month, for the City of New Yorke & the Libertyes thereof.//

Ordered, That Tuesday Fortnight following being the 22^th^ day of this Month bee observed in like manner for the Inhabitants of Albany & y^e^ Sopez,[3] & soe likewise throughout all y^e^ rest of his Royall Highness Territoryes upon Long Island &c://

Ordered, That Proclamac̃ons bee speedily issued out to the respective Places, & that the Proclamation for this City bee read on Thursday next at the State-House, at the usuall houre, of which Notice is to bee given.//

[1] Francis Lovelace, governor; Cornelis Steenwyck, mayor of New York City; Captain Thomas Willett, former mayor of New York City; Ralph Whitfield, treasurer of the province; Matthias Nicolls, secretary of the council.

[2] Collateral and Illustrative Documents, No. I. See also *Records of New Amsterdam*, vol. 6, p. 144.

[3] Esopus, or the Esopus, and officially renamed Kingston on September 25, 1669; but the new name is actually applied two days earlier in the documents. — Collateral and Illustrative Documents, No. X.

[2] At a Councell held Septembr the 3d 1668. &c:—

Present.

The Governor
Mr Mayor
Capt Willett
Mr Whitfield
The Secretry

Settlemt of Commerce.

The Mattr under consideracõn was about ye Settlemt of Commerce between this & the Neighbor Colonyes in the West-Indyes &c: the wch was digested into severall Heads, & Recorded Coppyes whereof are affixt at the Custome House, & have been sent abroad to the respective places.// They are upon Record, soe omitted here.//[1]

Nov: 6. 1668. Before noone.

At a Speciall Meeting appointed by the Governor to heare a Mattr in Difference between—

The Inhabitts of New Harlem
by Dan: Turnier, Jno Vervelen
Resolved Waldron, & ye Constable[2] } Ptts
John Archer . . . . . Deft

Their Petiõn by way of Plaint is read & their Patent produced.//

[1] Collateral and Illustrative Documents, No. II.

[2] Daniel Tourneur, whose name is also found in the records as Terneur, Turneir, Turnier and Turner, was then deputy sheriff; Johannes Verveelen was ferryman, an overseer and former constable; Resolved Waldron was an overseer and former constable; and Pieter Roelofsen was constable of Harlem. For an account of this controversy and personal data of the persons mentioned above see Riker. *Revised History of Harlem* (New York, 1904), pp. 248–251, 261, 634–635, 678–680, 691–694, 792, 793; Toler and Nutting. *New Harlem* (New York, 1903), pp. 47–50, 304–309, 311–312; *Records of New Amsterdam*, vol. 6, p. 150.

[3] The Deft denyes any Clayme to ye Lotts upon the Maine No 1. 2. 3. 4. wth wch hee is charged, but hath purchased Land near adjoyning that was the Youncker Van der Duncks;[1] Difference about Land.

It being taken into Consideracon, It was order'd[2] That the Deft doe bring in the Pat for the Younckers Land in 15 dayes time, wth what Right hee hath to the Land where hee hath built, at wch time some Persons shall bee appointed to view the Meadow belonging to Harlem[3] upon the Maine, & to make Reporte how it may bee preserved from the Defts trespassing on it, wch said Persons shall also bee ordered to view the Passage at Spiting-Devill, how it may bee made convenient for Travailers & Drift of Cattle, ye fferry at Harlem being found incommodious, & not answering the Ends formerly proposed.//[4]

After noone.//

The other part of ye Compt about a piece of Land upon the Manhattan Island by Spiting Divell said to bee bought by the Deft from Lamberts & Cockijt[5] being heard; Debate about Land.

[1] Adriaen van der Donck and his colony of Colen Donck.

[2] Collateral and Illustrative Documents, Nos. III and VII.

[3] As to the line drawn for the "Range of Harlem Cattle", March 20, 1665/6, there is a record in *Orders, Warrants, Letters*, vol. 2, p. 32.

[4] Collateral and Illustrative Documents, No. IV.

[5] Joost Kockuyt (also Cockhuijt, Cocquijt), a native of Bruges, in Flanders, came over by way of Holland in the ship "Gilded Otter," which left Texel on April 27, 1660. He married, in 1662, the widow of Pieter Jansen and so became part owner with Thomas Lambertsen of a tract of land known as the Jansen and Aertsen patent, located in the town of Harlem at Sherman's Creek, and since forming the "Dyckman Homestead," near Spuyten Duyvel. The joint owners sold this land to John Archer, of Westchester, for six hundred guilders, but Governor Nicolls would not confirm the transaction for reasons here stated in the council minutes. Kockuyt sold out his interest later to Paulus Richard, of New York, who became involved with Lambertsen in this "difference long depending" with the town of Harlem. The case was

The Def^t was askt by the Governo^r how much hee gave for the Land, hee answered hee gave 600 Guild^rs & spent 40 Guild^rs //

The late Governo^rs[1] Reasons for not confirming the Old Patent, in regard it might bee injurious to y^e Towne of Harlem were considered.//

The long time since the first Grounde-Briefe [4] was given, & noe Settlement since;

The small Consideracõn given;

Vpon Mature Consideracõn &c://

They doe judge that the Land in question on this Island by Spiting-Divell, shall belong to the Towne of Harlem, both by vertue of their Patent, & the Elapse of their former Ground-Briefe, but it's recommended to them to pay to y^e pretended Proprieto^rs what their first Sale was for.[2]

And that when the Persons goe to view the Passage &c: they are to see that Copeall[3] have no prejudice. &c:—

adjudicated at the court of assizes by an order dated June 22, 1670, and Richard bought out Lambertsen's share, and took a bond from the town of three hundred guilders. Kockuyt was of Bushwick (now included in Brooklyn), and was named a lieutenant of militia for the towns of New Utrecht and Bushwick, October 25, 1673. His will, proved April 1, 1695, is in the surrogate's office, New York City. Thomas Lambertsen "of Bedford w^thin the Jurisdiccõn of Breucklyn in the West Riding of Yorkshire," was constable of Brooklyn and kept "an Ordinary" or tavern in the village of Bedford, for which he obtained a license "to sell beare wyne or any oth^r Strong Liquors," being given an exclusive privilege for one year, from December 17, 1668, on condition that he would provide "for the Accomodation of Strangers Trauellers & other persons passing that way w^th^ dyett lodging and Horsemeate." Letters of administration were granted to his daughter Elizabeth and his son-in-law Cornelis vander Hoven, on February 5, 1702/3.— Riker. *Revised History of Harlem* (1904), pp. 104, 247, 250, 268; *Orders, Warrants, Letters*, vol. 2, p. 318; *Court of Assizes*, vol. 2, pp. 553, 555; *N. Y. Col. Docs.*, vol. 2, p. 646; *Collections* of N. Y. Hist. Society, 1892, pp. 252, 310, 362; Bergen. *Early Settlers of Kings County*, pp. 180, 322; *Records of New Amsterdam*, vol. 6, pp. 184, 226, 230; *Records of the R. D. Church, Marriages*. New York, 1890, p. 28.

[1] Richard Nicolls.

[2] Collateral and Illustrative Documents, No. III.

[3] This nickname, here applied to John Archer, had been applied to his father who, in 1658, is called "Jan Aarsen, from Nieuwhoff, commonly called

Novem: 21th 1668.

Present.

The Governor
Mr Mayor
Mr Bedloo
Mr Boone
The Secret.

John Archer according to the Order of the 6th Instant[1] appear'd to make out his Title.//

Jan Koopal," and the son had been styled as early as 1662 as " Jan Arcer, alias Koopal, the younger," and prior thereto as " Jan Arcer, alias Neuswys (meaning ' Nosey '), from Amsterdam." The Dutch sobriquet " Koop-al " (in English " Buy all "), seems to have been not uncommon, for it was also given to another contemporary resident of early New York, Jan Hendricksen Stilman. The English form of Archer, which has descended to a large posterity, was evolved in the English community of Westchester, where he had resided many years, and where, in 1659, he took to wife an English girl from Cambridge. He sold out his house and lands in Westchester, on August 3, 1666, to Laurence Carter and Mary Bedient. Archer purchased a large tract of Adriaen van der Donck's colony of " Colen Donck," which was erected into the Manor of Fordham, of which he was the first lord. He figured often in the court litigations and other controversies with his neighbors and his tenants, some cases being embodied in this volume and others are mentioned by Riker. At the court of assizes, September 29, 1665, he was defendant against John Ponton, charged with keeping back a sum of money, an overplus of a fine for which Ponton had been adjudged liable to Archer by a former suit at law, and also for counterfeiting an execution which he used against Ponton. He was bound over, March 2, 1668/9, to the next court of assizes, " accused for a Rape " by Benjamin Palmer and his wife, Mary; but the case was " wthdrawne by petiçon & consent," October, 1669. At the court of sessions, held in June, 1671, at Jamaica, L. I., he was bound over in an action for debt brought by John Pell, of Westchester. The inhabitants of the town of Fordham brought suit against him for " taking uppon himselfe to Ruel and Governe over them by Rigur and force," and the mayor's court, September 8, 1671, ordered him " to behavie himselfe for ye future Civilly and quietly agst ye Inhabitants." — Riker. *Revised History of Harlem* (1904), pp. 248, ff.; *Court of Assizes*, vol. 2, pp. 19–21, 200, 644; Mayor's Court, New York City Records, in *N. Y. Col. Docs.*, vol. 13, p. 459; *Deeds*, vol. 2, pp. 138–140, in office of Secretary of State; Innes. *New Amsterdam and its People*, p. 221; *Records of New Amsterdam*, vol. 6, pp. 212, 267, 274, 325.

[1] Collateral and Illustrative Documents, No. III.

The Ordr } WHEREAS by an Ordr of ye 6th Instant Jno Archer was appointed to make out his Title to the Land where hee is now seated, & having accordingly appeard, but not clearly made it out, Hee having noe Bill of Sale nor Bonds setting forth his Purchase, It is this day Ordered, That the said Jno Archer have farther time till ye 14th day of ffebry next to cleare his Title; In ye mean time hee is to remaine where hee is without Molestacon; [hee givin]g [1] noe [Di]sturbance to his Neighbours.// [2]

[5] It is likewise Ordered, That in pursuance of the former Ordr some Persons shall bee appointed to view ye Land where Jno Archer now lives, & the Meadowes belonging to Harlem upon the Maine, as also about the Passage at Spiting Devill for ye conveniency of Travellers, & prservacon of Cattle upon the Island, when the fferry at Harlem is to bee removed.// [3]

An Order to bee made to release the Cattle under Arrest at Harlem, belonging to Jno Archer.// [4]

George Tippett for unlawfull Markes.— Vide ye Records } An Ordr to George Tippett about the unlawfull Marke hee useth about cutting the Eares of Cattle soe close, that any other Marks may bee cutt off by it.// [5]

[1] Original mutilated.

[2] Collateral and Illustrative Documents, No. III.

[3] Collateral and Illustrative Documents, Nos. III and IV. See also *Records of New Amsterdam*, vol. 6, pp. 83–84, 130, 170.

[4] Collateral and Illustrative Documents, No. III.

[5] George Tippett or Tippetts is put down as "of fflushing" in a list of August 12, 1667.— *Orders, Warrants, Letters*, vol. 2, p. 180. In the inventory of his estate, September 29, 1675, he is called "of Yonckers, late deceased."— *Collections* of N. Y. Hist. Soc., 1892, p. 35. His widow, Mehitabel, was married to Samuel Hitchcock.— Pelletreau. *Early Wills of Westchester County*, p. 385. On March 2, 1669/70, Lovelace issued an order concerning certain strayed hogs near Fordham, largely directed against Tippett, who claimed ownership, and which John Archer also claimed for the Duke of York, he having been appointed by Lovelace "to make inquiry after wild & stray unmark't hoggs wch have no perticuler Owner so of Consequence belong to his Royall Highness as Lord Proprietor."— *Court of Assizes*, vol. 2, p. 474.

Severall Ordrs made by ye Governor at New Harlem. Feb: 22. & 23th 1668. The Governor having wth him some of ye Councell & others of the Bench at New Yorke.// These Ordrs are upon Record elsewhere.//

It is this day Ordered,[1] that a Convenient Waggon-Way bee made between the City of New Yorke & this place; to wch end foure Comrs shall bee appointed (vizt two on each part) who are to [6] View & consider of ye most convenient Passage to bee made.//

The Comrs of New Yorke are to bee those, who formerly were nominated Overseers for this yeare; Vizt Thomas Hall[2] & Gerritt Hendricksen; For the Towne of Harlem Daniel Turneir, and Resolved Waldron.//

That these foure Commissionrs meet to view the said Way on Thursday next being the 25th of this instant Month; & after having concluded upon it, That immediately they fall upon laying out the Way, according to their former Agreemt. thereupon; That is to say, The Boores of the Bowery & parts adjacent to cleare the way to bee fitt for the passage of Waggons from New Yorke to the Saw-Kill, & ye Towne of Harlem, from thence to their Towne.//

At the assizes, in October, 1672, Tippett was tried for hog-stealing, and Archer declared "his Knowledge of Tippetts unlawfull Marks, of which hee hath complayned, That his Marks formerly & now are such that he cann cutt out any other Mans Marks; if hee meets an Old Hogg, hee cutts his old Mark, if a young one his new one." The court fined him forty pounds or in lieu thereof to "receive ye Corporall punishmt of thirty one Stripes at the Common Whipping-Post before the Stathouse of this City before the breaking up of this Court."— *Court of Assizes*, vol. 2, pp. 303, 311. See also Riker. *Revised History of Harlem* (1904), pp. 262, 263, 283, 327.

[1] Collateral and Illustrative Documents, No. V. See also Riker. *Ibid*, pp. 233, 252, ff.; *Records of New Amsterdam*, vol. 6, pp. 296, 359–360, 361–362.

[2] Hall died in 1669.— See *Collections* of N. Y. Hist. Society, 1892, p. 12. There is a short sketch of him in Innes. *New Amsterdam and its People*, pp. 326–328.

That this Way bee laid out & cleared according to the Intent of this Order by the first of May next.

That the Commissionrs of either Party have hereby liberty to make Inspection on the sufficiency or Defect of each other, to the Intent that there prove noe ffailing in either of them.//

That ye appointed Comñrs upon their Conclusion of the best way, doe immediately give the Governor an Acct of their Agreemt; who thereupon will give Order for the putting the same in Execution.//

It is also Ordered, That all Horses & Cattle belonging to New Yorke, & New Harlem which [7] shall bee turned into ye Woods upon this Island shall have a marke of Distinction upon them;[1] That is to say, Those belonging to New Yorke, the Bowery & parts adjacent are to have a Brand-Marke wth *JY* upon them; & those of New Harlem wth *NH*; And that there bee a Person appointed & sworne in each Place to marke such Horses & Cattle as really doe belong to the Inhabitants and none others.//

That if Thomas Hall cannot come to bee one of ye Commissionrs at any of the times appointed to attend the laying out of the way, hee may send a fitt Person in his Place, wch John Vigne[2] is adjudged to bee, if hee come for him.//

[1] In 1671 complaint was made that great quantities of unmarked horses and cattle were still found in the common woodland on the Island of Manhattan, and an order was issued against this disobedience of the former ordinance requiring branding.— *Records of New Amsterdam*, vol. 6, pp. 351–352. On the duties of the overseers of highways and branders of horses and cattle on the island, see *ibid*, pp. 215–216, 222–223, 237–238, 239–240.

[2] John Vigne, whose name appears in the records also as Jan and Jean Vinge and Vinje. His will mentions his deceased wife, Emmerantie vander Sluys. He was a brewer of New York City. For the administration of his estate, which carried over a number of years, see *Collections* of N. Y. Hist. Society, 1892, pp. 154, 155, 190, 457. He is credited with being the first child of European parentage born in New Netherland. For a sketch of him and related data see Innes. *New Amsterdam and its People*, pp. 298, 306–308.

Febry 23th

An Ordr about ye difference between W: Chestr & Cornells Neck &c:

WHEREAS ye Inhabitants of ye Towne of West-Chester having timely Notice of the Governours Intent of being at New Harlem upon the 22th of this Month, to enquire into & issue severall Differences relating to their Towne, as well as other Mattrs between the Towne of New Harlem & Jno Archer; And the Governor accordingly having been at New Harlem, where all other persons concerned did attend, excepting those from Westchester; It is therefore Ordered,[1] That Mr Jno Richbell of Momoronock,[2] Mr Wm Laurence [8] of fflushing, Jacques Cortilleau of New Vtrecht, Resolved Waldron of New Harlem & Mr Thomas Wandall bee & are hereby appointed Commissionrs to view ye Lands, & to examine into, heare, & determine the severall Mattrs & Cases in Difference between the Towne of West Chester, & Mr Wm Willett about Cornells Neck[3] and also between them & Thomas Hunt[4] about his Commonage & Watring Place upon Throgmortons Neck, & what else there may bee

[1] For the order commissioning them see Collateral and Illustrative Documents, No. III, where the Archer documents also are given. For those bearing upon the cases of Willett and Hunt see *ibid*, No. VI.

[2] Mamaroneck, Westchester County.

[3] This is Black Rock. It was originally named from Thomas Cornell to whom Kieft had granted it in 1646. It is also given as " Cornhills Neck " in the earliest English records.— Deeds, vol. 2, p. 69. See Bolton. *Hist. of the County of Westchester* (edition of 1881), vol. 2, pp. 270–275.

[4] In a suit brought by Augustine Herrman at the court of assizes against the inhabitants of Westchester for right to Throgmorton's Neck, Hunt informed the court and jury " That hee Bought of the Ptt the Land called Spicers and Brocketts Neck, upon part of wch, hee now lives, and by virtue of that Purchase, hee hath Common in Throckmortons Neck."— *Court of Assizes*, vol. 2, p. 60 (September, 1666), also pp. 129–130 (November 1, 1667). Herrman's suit at the assizes is in *ibid*, pp. 46, 53, 59–61, 105, 129–130, 724. Thomas Hunt, Sr. died February 8, 1694/5, and by his will left his estate of " the Grove Farm," in Westchester, to Josiah Hunt, the eldest son of his son Josiah.— *Collections* of N. Y. Hist. Society, 1892, pp. 248, 249, 256. See also *Records of New Amsterdam*, vol. 6, pp. 42–43; Bolton. *Hist. of County of Westchester*, vol. 2 (1881 edition), pp. 264, ff.

about the Patent granted to Hugh Oneale & Mary his wife for the Land comonly called the Jounckers Land,[1] or any other Affayre of the like nature; to w^ch^ the Towne of Westchester hath relation, w^ch^ said Commission^rs^ are to meet about those Matt^rs^ with all convenient Expedicon; & to give a finall Determinacon thereof; To w^ch^ when they have rendred mee an Acco^t^ I shall give my Confirmacon.//

[1] See Collateral and Illustrative Documents, No. VII. Adriaen van der Donck, in October, 1645, married Mary Doughty, daughter of Rev. Francis Doughty, first clergyman of the English colonists at Flushing, who had a checkered career in New England, New Netherland, Maryland and Virginia. They lived in the colony of Rensselaerswyck for a short time and removed to New Amsterdam in 1646. Soon thereafter van der Donck purchased from the Indians, under a grant from Director-General Kieft, their unextinguished titles to the lands "as far as Papirinamin, called by our people (Spyt den Duyvell), in Spite of the Devil." This tract was soon named "Colen Donck," or Donck's Colony, and the Dutch referred to the estate as "de Jonkheers Landt," which the English corrupted into "Yonkers," by which form his memory is perpetuated to this day in the city of Yonkers. Van der Donck, who had been absent in Holland for nearly four years, where he had taken the degree of doctor of laws and had been admitted an advocate in the supreme court of Holland, returned to New Netherland in 1653, where he died in 1655, leaving to his widow the above mentioned estate. She was married to Captain Hugh O'Neal, of Patuxent, Maryland; removed there, but returned to New York after the English took possession, and laid claim to her estate. She returned "home into Maryland y^e^ Place of her abode," with horses and mares received in part payment for her and her husband's property in New York, which she had sold. In 1666 Hugh O'Neal or Oneale brought suit at the assizes against John Ramsden, of Newtown, because he "doth unjustly detaine and keep from him, a certaine Lott or Tenement, lying and being in New Towne, in the west Riding of Yorkshire upon Long Island, of which the said Ramsden is now in Possession." The case was decided against him.— Brodhead. *Hist. of N. Y.*, vol. 1, pp. 419, 420, 421, 560, 561; *Publications* of Colonial Society of Mass., vol. 10, pp. 261–276; *Van Rensselaer Bowier Manuscripts*, p. 824; *Court of Assizes*, vol. 2, pp. 47, 63–66, 710; Riker. *Revised History of Harlem* (1904), pp. 147, 243, 256; Bolton. *Hist. of Westchester County* (edition of 1881), vol. 2, pp. 576–586. On the career of Adriaen van der Donck, see address before the Westchester County Historical Society, November 22, 1888, by Thomas Astley Atkins, and another, before the annual meeting of the N. Y. State Bar Association, January, 1904, by Alfred L. Becker. In the year of his death, 1655, Adriaen van der Donck's booklet, entitled *Beschrijvinge van Nieuw Nederlant*, was first published. A second edition appeared in 1656.

At a Councell held June
ye 28th 1669.

Present.

The Governor
Mr Whitfield
The Secretry

The Inhabts of Boswijck – – Ptts
The Inhabts of Newtowne – – – Defts [1]

[9] Those of Boswijck produce ye Ordr at the Geñall Meeting at Hempstead.//

Their Ordr from Governor Stuijvesant is, To have the Meadow in question, if not formerly granted by Ground briefe to others.//

Those of Newtowne plead their Indyan Purchase and Patent.//

Together wth Mr Robert Coes Testimony Vivâ Voce, & Mr Richard Gildersleev's Senr Mr Robert Jacksons [2] & Richd Gildersleeve's Junr Deposicon that this Meadow in question was layd out a long while since for Newtowne, before Boswijck was a Towne.//

An Ordr issued out hereupon to endeavour an Accomoda-

[1] Collateral and Illustrative Documents, No. VIII. The settlement of Boswijck (now Bushwick, a part of Brooklyn), was laid out by Stuyvesant in 1661, at the request of several Frenchmen, and belonged to the district of "the Five Dutch Towns." A special warrant was issued, October 22, 1669, for appearance at the assizes in the case in controversy. On June 23, 1666, the inhabitants of Newtown, *alias* Middleborough, were granted a license to treat with and consummate a purchase from the Indians "for the better Securing of their Title to the Lands lying betweene Mashpeth Kills, and the head of fflushing Creeke."— Brodhead. *Hist. of N. Y.*, vol. 1, p. 693; *Court of Assizes*, vol. 2, p. 428; *Orders, Warrants, Letters*, vol. 2, p. 76.

[2] Robert Jackson was for some years constable of Hempstead, where he had a license to sell strong liquors by retail.— *Orders, Warrants, Letters*, vol. 2, pp. 6, 305; *Hempstead Town Records*, vol. 1 (Jamaica, 1896), p. 278.

c̃on, but at length it was referr'd to y^e^ Co^rt^ of Assizes for a Determinac̃on, y^e^ former not p^r^vailing.[1]

Monday June y^e^ 28^th^ 1669. as before.

A Lett^r^ to bee written in Answ^r^ to M^r^ Mulford & M^r^ James;[2] ffirst, To give them thanks for their Care in enquiring into the Matt^rs^ of y^e^ Indyans; That if they shall finde the Occasion pressing, to send to all y^e^ Commission^rs^ authorized for the carrying on the Indyan Affayres, to have a Meeting, & to take the whole Matter into Examinac̃on, soe to send up a Reporte of the Nature of it, & how they finde it.//

[10] That they bee very carefull to shew noe Apprehension of ffeare, but to proceed vigorously in their Acting.//

That the Indyan called Aukcannitt bee examined, & if Occasion bee found, that hee bee sent up hither a Prisoner.//

That y^e^ Commission^rs^ enquire into y^e^ Matter of imposing a Tax upon the Indyans as formerly, whither it may bee thought necessary or convenient, & to returne their Opinion hither.//

That M^r^ James have a Lycence to sell such small quan-

[1] Heard at the court of assizes, November 4, 1669. The jury brought in a verdict for Bushwick, adjudging that the meadow in controversy belonged to it, and the court gave judgment accordingly, the town of Newtown to pay the costs of the suit.— *Court of Assizes*, vol. 2, p. 215.

[2] John Mulford, of East Hampton, was one of the justices of the peace of the East Riding of Yorkshire.— *Orders, Warrants, Letters*, vol. 2, pp. 51, 434. He was also one of the "Commissioners for y^e^ Indyan Affaires in y^e^ East Rideing."— *General Entries*, vol. 4, p. 101. See *Genealogy of the Family of Mulford*, Boston, 1880, p. 4; also the same in *New England Hist. and Geneal. Register*, April, 1880. Rev. Thomas James was called to the ministry at East Hampton by an order of the town, August 23, 1651.— *Records of East-Hampton*, vol. 1, p. 16. Governor Lovelace was considerably interested in a plan of James for the conversion of the Indians and the publication of an Indian catechism which the clergyman had prepared, and the governor mentions in his letter to James his intention of having a printer in New York, which did not materialize.— *Orders, Warrants, Letters*, vol. 2, pp. 290–293 (November 19, 1668).

tityes of Powder &c: & that hee bee freed from Taxes as hee desires.//

That Will y^e^ Indyan [1] bee Ordered not to come into East Hampton or any of y^e^ Townes at y^e^ East end of Long Island; ffor the w^ch^ an Order is to bee made, & hee to bee acquainted therewith.// [2]

July 31^th^ 1669. At Fordham.

Vpon Acco^t^ of the Difference between Jn^o^ Archer, & Willm Betts [3] & George Tippett, It was Ordered [4] as followes. Viz^t^ —

[1] Nangenutch (also Nangenuge), a Montauk Indian, who passed among the English under the alias of Will, was indicted and tried in March–April, 1668, for committing a rape, on March 19, 1667/8, upon Mary the wife of John Miller, a husbandman of East Hampton, in her own home. He pleaded not guilty of the act, on a technicality, and claimed to have been drunk at the time. The court found that the facts adduced did not warrant his execution, but ordered him to be whipped publicly with thirty stripes before the town house, which was carried out by a negro who received nine florin, seawant, for his hire. The Indian was then returned to prison to await Governor Nicolls's opportunity of deporting him to one of the Leeward Islands, and the money obtained from his sale was to be used to defray the costs entailed by his arrest and trial. But he escaped by the aid of four Montauk Indians, whom Lovelace (November 19, 1668) ordered to be seized. The unpaid charges were then levied upon the Montauks, who were derelict in paying the " whole summe of forty pounds, which was ordered them to pay for y^e^ Escape of Will the Indyan of y^e^ which a part is allready paid." On account of their alleged poverty and upon their petition, Lovelace extended the time of payment in Indian corn for another year from April 26, 1669, but repealed this order on June 20, of that year. The records indicate that Will was a lecherous Indian, and that he had been committed and whipped before for larceny. The indictment, form of trial, court proceedings, examination, order of the court and bill of charges are in *N. Y. Colonial MSS.*, vol. 22, pp. 36–45; correspondence, etc. are in *Orders, Warrants, Letters*, vol. 2, pp. 288, 304, 398, 452; *Deeds*, vol. 3, pp. 39–40.

[2] Collateral and Illustrative Documents, No. IX.

[3] William Betts describes himself as " of the Yonckers Plantation " in his will made " the Twelfth day of the Twelfth month 1673." His wife, Alice, was confirmed as executrix, January 2, 1675. His daughter, Mehitabel, was the wife of George Tippett.— *Collections* of N. Y. Hist. Society, 1892, pp. 33–34.

[4] Collateral and Illustrative Documents, No. III.

[11] That in the Matt^r of the Difference between John Archer, & W^m Betts, Tippett &c:

It is Ordered, That Jaques Courtelyou [1] bee sent to view & lay out Archers thirty Acres, & y^e Remaind^r to bee to them; & if they have cutt & carryed away any Hay belonging to Archer, they are to returne soe much, hee paying them for their paines.//

That some Proporc̃on bee layd out for the fferryman M^r Vervelen.// [2]

That Archers bee good Substantiall Meadow, & Betts &c: to have the rest.//

[1] Captain Jacques Cortelyou, Cortileau, Cortilleau, Cortelijau refused the office of schout of New Amsterdam in 1654. He was a teacher in the family of Cornelis van Werckhoven, who died in 1655, and became the agent for the heirs. In 1657 Cortelyou commenced a settlement which was named New Utrecht, as a compliment to the birthplace of Van Werckhoven in Holland. He was a surveyor; had been surveyor general in 1657, and was recommissioned by Lovelace "Surveyo^r Gen^rll in theise his R. H^ss his Territoryes," in March, 1670/1, "to measure or lay out Lands or Lotts of ground w^ch shall at any tyme be ordered by me, as also for any private person w^th in y^e Governm^t who shall employ him for y^e bett^r ascertaining y^e Lymitts & bounds of Lands or houses betweene one person & anoth^r." Lovelace also commissioned him, May 4, 1672, as "Vendue-Master of Flatt-Bush, and y^e rest of the Dutch Townes in y^e West Rideing of York-shire upon Long-Island," as successor to Adrian Heggeman, who had died. Letters of administration were granted to the sons of Cortelyou, August 2, 1693, and the inventory of his estate was registered, January 20, 1693/4.— Brodhead. *History of N. Y.*, vol. 1, pp. 588, 693; *General Entries*, vol. 4, pp. 113, 124; *Collections* of N. Y. Hist. Society, 1892, pp. 220, 231; *Court of Assizes*, vol. 2, pp. 614, 656; Bergen. *Early Settlers of Kings County*, p. 75; Bergen. *History of New Utrecht* (Brooklyn, 1884), pp. 3–4; *Doc. Hist. of N. Y.* (octavo edition), vol. 1, p. 633.

[2] Collateral and Illustrative Documents, No. IV. Johannes Verveelen was constable of Fordham, as well as ferryman of the Harlem ferry and upon the removal of the latter, as the accompanying documents show, ferryman at Spuyten Duyvel. For references to his constabulary post see *Court of Assizes*, vol. 2, pp. 449, 644; and for his career as ferryman and other personal data, Riker. *Revised History of Harlem* (1904), pp. 248, 253–256, 678–680, 793.

[August 11th 1669.[1]

At a Councell then held at ffort James in New Yorke on ye Island Manhatans before his Honor ye Governor

Mr Thom: Willett
Mr Ralph Whitfeild
both of ye Councell
then present.

Perewyn Sachem of ye Hackensack Toppan & Staten Island Indians appeared this day in ye behalfe of those nations (being lately chosen their Sachem) desiring ye freindship & amity they lately had wth us in ye tyme of ye late Governor Coll Nicolls might be continued wth his Honor ye prsent Governor

The Governor answered it should be continued as longe as they carryed themselues well

The Sachem then prsented a band of Seawant to his Honor wch he said they receiued from ye Maquesses upon concluding ye peace wth them desiring it might be kept that if ye Maques should fall out wth them that band of Seawant might remaine as Testimony of their former agreement

His Honor hauing ask't whether he was chosen by those Nations to be their Sachem ye Indians then prsent (in owning him so to be) held up their hands

His Honor then ordered that a Letter should be wrytt to ye Comrs of Albany to signifye to ye Maquess & Synakers that ye Sachem of theise Nations hath declared ye peace they made wth them & are resolved to keep it inviolably.

The Sachem doth disclayme any right of imposing or receiuing any kinde of Tribute (as is Comonly giuen out) of Christians fishing upon Hudsons Ryver, if any such thing

[1] This session of the council is not entered in the regular minutes, but is supplied here from *Deeds*, vol. 3, p. 41, in office of Secretary of State.

hath beene demaunded or Exacted it hath beene w^th^out y^e^ privity or ord^r^ of y^e^ Cheife persons amongst them.]

At a Councell. Sept: 9^th^ 1669.

Before the Governo^r^

Present

M^r^ Whitfield
M^r^ Nicolls.

The Busynesse of Esopus taken into Consideracõn.// [1]

It is Ordered That y^e^ Garryson at the Esopus shall bee henceforth Disbanded, and Dismist of their Military Employment, They [12] being a needless Charge to y^e^ Duke.// [2]

It is Ordered, That Commission^rs^ bee appointed to goe up to Esopus to whom some others there shall bee joyned to Regulate the Affayres of Esopus and of the New Dorpes.[3]

That y^e^ Persons appointed for Commission^rs^ bee — —

M^r^ Ralph Whitfield — Presid^t^
Cap^t^ Jn^o^ Manning
Cap^t^ Jacques Cortelijau
Cap^t^ Thom: Chambers
M^r^ W^m^ Beakman — Schout
M^r^ Henry Pawling
M^r^ Christopher Berrisford.

Of w^ch^ any five of them shall bee a QUORUM to settle the Affayres of all the Places thereabouts, for the which they shall have a Commission and Instructions.[4]

[1] Collateral and Illustrative Documents, No. X.

[2] The so-called mutiny of the burghers of Esopus had been quelled, and it being now a "time of peace," the garrison was disbanded, and grants of land were made to the soldiers, particularly in the newly-created villages.

[3] The dorp or village nearest Esopus or Kingston was named Hurley; the second was known as "Halfe way ground," and the third or "furthest New Dorpe or Village" was named Marbleton (or Marbletown).— *N. Y. Col. MSS.*, vol. 22, p. 99, under date of September 17, 1669.

[4] Collateral and Illustrative Documents, No. X. The commission was com-

Sept. 14th 1669.

At a Councell held by ye Governor &c·

Present.

Mr Whitfield
Mr Nicolls.

Vpon ye Receipt of Letters from Capt Carr[e] [1] that an Insurrection is very much feared [13] the Chiefe Actor being in Hold, and the Depositions of severall Persons taken;

It is Ordered, That a Letter of Thanks bee sent to the Officers there for their great Care.

That ye Long ffinne [2] in hold & in Irons bee kept still in safe Custody in like manner as hee is, untill the Governor or some Persons Commissioned from him shall goe over to examine into & try ye Matter of ffact, wch is of soe heynous & high a Nature.//

That all Persons who have had a Hand in ye Plott bee bound over, & enjoyned to give Security to Answer their Misdemeanor, & an Accot to bee taken of their Estates in the meane time.

posed of representative and able men. Whitfield was treasurer of the province, a member of the council and at this time an alderman of New York City; Manning was then sheriff of New York City; Cortelyou was surveyor general; Chambers was owner of the Fox Hall estate; Beeckman was the Esopus schout, and Pawling and Beresford were military officers. Beresford had succeeded to the command at Esopus after the suspension of Captain Daniel Brodhead, in 1667. He was appointed chief magistrate of Hurley and Marbletown, in September, 1669.

[1] Captain John Carr, son of Sir Robert Carr, and commander-in-chief of the Delaware, at Newcastle.

[2] This leader of the Delaware insurrection, commonly called the Long Finn, and the Long Swede, appears in his indictment as "John Binckson *alias* Coningsmarke, *alias* Coningsmarcus, *alias* Matheus Hencks," and in the papers relating to his deportation to the Barbados he is named "ye Long ffinne called Marcus Jacobsen" and "Marcus Jacobs comonly called ye Long Finne." He set up the false claim of being a son of the famous Swedish general, Count Königsmark.— Collateral and Illustrative Documents, No. XI. These documents give the names of his partisans and his deluded followers.

Octob. 18th 1669.

At a Councell then held &c:

Present

The Governor
Mr Tho: Delavall
Mr Ralph Whitfield
Mr Thomas Willett
The Secretary.

The Mattrs under Consideracõn were, ye Insurrection at Delaware occasioned by the Long ffinne,[1] & ye Rape Committed by an Indyan there.[2] //

[14] Vpon serious & due Consideracõn had of the Insurrection begann by ye Long ffinne at Delaware, who gave himselfe out to bee Son of Coningsmarke a Swedish Generall, & ye dangerous Consequence thereof, It is adjudged that ye said Long ffinne deserves to dye for the same, Yet in regard, That many others being Concerned wth him in that Insurrection might bee involv'd in the same Premunire if the rigour of the Law should bee extended, & amongst them diverse simple & ignorant People; It is thought fitt & Ordered, that the said Long ffinne shall bee publickly & severely whipt, & stigmatiz'd or Branded in the fface wth the Letter (R.) with an Inscription written, in great Letters & putt upon his Breast, That hee receiv'd that Punishment for Attempting Rebellion, after wch that hee bee secured untill hee can bee sent & sold to the Barbados or some other of those remoter Plantations.

That ye Chiefest of his Complices & those concerned with him most doe forfeit to his Mãtie the one halfe of their Goods & Chattells; & that a smaller Mulct or ffine bee imposed on the rest that were drawn in & followed him, the

[1] Collateral and Illustrative Documents, No. XI.
[2] Collateral and Illustrative Documents, No. XII.

which shall bee left to the Discretion of the Commissionrs who shall bee appointed to make Enquiry into, & examine the same.

That the Indyan[1] who Committed ye Rape [15] upon ye Body of a Christian Woman bee putt to Death (if hee can bee found) for that foule ffact, according to the Sentence allready past upon him, & that ye Sachems under whom hee is bee sent to that they Deliver him up that Justice may bee executed upon him accordingly.

By Ordr &c:—

Octob: 18th 1669. Munday Afternoone.

At a Councell held upon Munday After Noone at the Custome House, Die & Anº supra-scriptis.

Present

The Governour
Mr Delavall
Mr Willett
Mr Whitfield
The Secretary
Mr Van Ruyven[2]
Collector. of ye Customes.

It was Ordered yt Tobacco Exported for Europe shall

[1] Collateral and Illustrative Documents, No. XII.

[2] Cornelis van Ruijven (Cornelius van Ruyven) was appointed, on April 14, 1665, by Governor Nicolls, who had put an arrest upon the whole estate and revenue belonging to the West India Company, " to make up and Compleate " the account books of that company, as Van Ruijven had been the treasurer of the West India Company at the time of the surrender in 1664.—*General Entries*, vol. 1, p. 108. He was commissioned by Governor Lovelace as " Collector & Receiuer Generall of the Customes in New Yorke " and " of all & singular his Maties Customes to be paid for all sortes of goods & merchandise (lyable to pay) imported into this Citty of New Yorke or any

pay as an Acknowledgment to his Royall Highness two Guilders Wamp^{m} per Hogshead.

That Sugar Exported from these parts thither shall pay 2^{d} per Cent. in Beaver.

[16] That Beav^{rs} to bee Exported for Europe shall for the future pay but 7 & ½ per Cent. in lieu of 10 ℔ Cent before; In regard It is adjudged that 2 & ½ is paid in England, soe that here & in England makes up the just Proportion of 10 per Cent. as formerly.

All other grosse Goods not here particularly specifyed, which shall bee exported as before, shall pay (*ad valorem*) one & ½ per Cent.//

Jan^{ry} 25th 1669.

At a Councell then held &c:

Present

The Governo^{r}
M^{r} Delavall
The Secretary.

other parte place or Creeke wthin these his Royal Highnesse his Territoryes whether the said goods or merchandize shall come from Europe or any other partes as also for what shall in like manner be Exported." This commission, dated May 1, 1668, was "Deliuered Nouemb^{r} 24th 1668," as stated in the records.— *Orders, Warrants, Letters*, vol. 2, p. 297. His instructions, May 24, 1668, are in *N. Y. Col. MSS.*, vol. 22, p. 51. He continued in this important office, and in 1672 is called "Comptroller & Receiver of the Customes" (August 19).— *General Entries*, vol. 4, p. 193.

Van Ruijven was also one of the first group of aldermen under the new form of government of New York City, from June 12, 1665, till June 12, 1666.— *General Entries*, vol. 1, p. 121; was again alderman from October 9, 1669, till August 14, 1670, and from the latter date till October 9, 1670.— *Court of Assizes*, vol. 2, pp. 421, 571; and again from October 13, 1671, till October 13, 1672.— *General Entries*, vol. 4, p. 53. He was commissioned deputy mayor on October 13, 1672, which was one of the posts held by him when the Dutch retook the city.— *General Entries*, vol. 4, p. 220. He was a justice of the peace for the west riding of Yorkshire, to which he was commissioned by both Nicolls and Lovelace.— *Orders, Warrants, Letters*, vol. 2, pp. 353, 435; *Deeds*, vol. 2, p. 21. For other personal data see Bergen. *Early Settlers of Kings County*, p. 360.

The Sentence against y^e^ Long Finn taken into Consideracon.[1]

It is ordered that two Warrants bee drawn the one to M^r^ Cousseau [2] to receive, 'tother to Cap^t^ Manning y^e^ Sherriffe, to deliver y^e^ said ffinne according to the Sentence.//

The Matter about W^m^ Douglas taken into Consideration.[3]

[17] The Comp^tt^ from y^e^ Whore-Kill read.

It's Ordered, That a Letter of Thanks bee sent to them for their Care; And that according to their Desire, & an Order of the Speciall Court held at New-Castle there bee an Officer appointed amongst them to keep the Peace &c: & a Commission sent to that Purpose.// [4]

It's Ordered, that in regard y^e^ s^d^ Douglas hath behaved himselfe soe ill at y^e^ Whore-Kill, hee shall bee Continued

[1] Collateral and Illustrative Documents, No. XI.

[2] Jacques Cousseau had been a schepen of New Amsterdam and one of the Dutch commissioners at the surrender in 1664. He was a merchant and trader; was admitted a free denizen of New York, and was owner of the "Good Ship y^e^ ffort Albany of New Yorke," an English built vessel, which carried passengers and merchandize between New York, Europe and the West Indies, and of which Nicholas Verbraeck was master. He was also half owner of the ship "the Charles," which traded, as the records show, between New York and the Barbados.— *Court of Assizes*, vol. 2, pp. 456, 461, 582; *General Entries*, vol. 4, p. 220. His wife, Magdalin du Tillett, was given a certificate by Governor Nicolls, July 8, 1667, to transport herself in the ship "the Orange Tree bound for Hamburgh from thence to take passage for Rochell," she "having a desire to goe to Rochell in ffrance to visitt her Relations."— *Orders, Warrants, Letters*, vol. 2, p. 170. Letters of administration on his estate were granted to John Vincent, as administrator, November 13, 1682. An inventory of the estate was made by order of the mayor's court, January 31, 1682/3.— *Collections* of N. Y. Hist. Soc., 1892, pp. 67, 121, 123.

[3] Collateral and Illustrative Documents, No. XIII. William Douglas, for great misdemeanors committed at the Whorekill in 1669–1670, was sent to New York City and placed in irons. Upon his agreement not to return to the Delaware, he was released and banished into New England. He broke his agreement, however, and returned to Newcastle, Delaware, where he was arrested in 1672, and from thence conveyed again to imprisonment in New York City. He was deported in 1673 to the Barbados, "there to be sold & Disposed of, to make Satisfaction towards the Charges hee hath occasioned."

[4] Collateral and Illustrative Documents, No. XIII.

in Prison untill farther Order, but that his Irons bee taken off. However if hee can give Security not to returne to y^e^ Whore Kill &c: hee may bee Dischargd.[1]

Friday Apr: 1^st^ 1670.

Before y^e^ Governo^r^

Pres^t^

The Governo^r^
M^r^ Delavall
The Secretary.

A Peticon from Abraham ffrost to have a Review of y^e^ Action upon w^ch^ Execucon hath been granted against him at y^e^ Suite of William Osborne, & another of John ffirman.

An Ord^r^ issued forth hereupon, to w^ch^ Reference is to bee had.[2]

[18] M^r^ Nicasius de Sille's & his Wives [3] Case, the which hath been under Consideracon before five persons of this City nominated by the Mayo^r^, by vertue of an Ord^r^ from y^e^ Governo^r^

The Governo^r^ & Counsell having perus'd the Result of y^e^ Commission^rs^, & fully considered of the Matter, issued forth an Order thereupon, to the which Reference is to bee had.// [4]

[1] Collateral and Illustrative Documents, No. XIII.

[2] Collateral and Illustrative Documents, No. XIV.

[3] Nicasius de Sille and Catharina or Trijntie Cregiers, Croegers or Crougers, his second wife, whom he married on May 26, 1655, and from whom he became separated on account of incompatibility of temper. She survived him, and her will, dated August 16, 1694, is in the surrogate's office, New York City.—*Collections* of N. Y. Hist. Society, 1892, p. 246; Bergen. *Early Settlers of Kings County*, p. 96; *Records of the Ref. Dutch Church, Marriages*. New York, 1890, p. 19.

[4] Collateral and Illustrative Documents, No. XV. On this case in the Mayor's Court see *Records of New Amsterdam*, vol. 6, pp. 207, 210–211, 227–228

The Peticon of Nicholas Wright [1] concerning his Daughter & her Husband Eleazer Leveridge.

An Ordr issued forth, to ye wch Reference to bee had.// [2]

The Busynesse of Staten Island to bee respited untill the Indyans according to Order doe appeare about their Title, wch is to bee on Wednesday next.[3]

[19] At ye Fort Apr: 7th 1670.

Present

The Governor
Mr Delavall
Mr Mayor
Mr Van Ruijvn [4]
The Secretary.

The Indyans who prtend an Interest in Staten Island [5] by Appointmt appear'd before ye Governor; They did not come Yesterday (ye day prfixed) being hindred by Windy Weather.

It was askt of ye Indyans, how they could make it appeare that they were ye Owners of Staten Island, the wch at ye last Meeting they undertook to doe.

They say there are five Principall Owners, the rest are only ffriends.

It was demanded what the first Owners Name is, they having markt out ye severall Divisions, beginning at the South.

[1] Nicholas Wright, of Oyster Bay. His will, dated April 10, 1674, which does not mention his daughter Rebecca, states that he was then "aged 65 or thereabouts." His wife, Ann, was named executrix, and the will was proved December 13, 1682.— *Collections* of N. Y. Hist. Soc., 1892, p. 121. For the family history see *N. Y. Geneal. and Biog. Record*, vol. 3, pp. 35–45.

[2] Collateral and Illustrative Documents, No. XVI. This case was decided by the court of assizes in October, 1670, granting a divorce on the ground of Eleazer Leveridge's impotency.

[3] Collateral and Illustrative Documents, No. XVII.

[4] So in the original for Cornelis van Ruijven.

[5] Collateral and Illustrative Documents, No. XVII.

They say his name is — Matackos a Boy, hee was at Staten Island.

The second — Rararamint, hee is in Towne, but hath Entrusted some here.

The 3^{d} Matarus — hee'l come To-morrow.

The 4th Oraoquy, hee is allmost dead, soe cannot come, hee is of Rock-way, some of his ffriends will bee here To-morrow.//

The 5th Wewonecameke of Staten Island.

Three of these were named at Staten Island — the other two not.//

[20] Its askt, if these before-named are y^{e} Right Proprietors & noe other? They say, Yes, & can make it appeare; The 2 auncient Men who speak for the rest doe not p^{r}tend to have any Interest in the Island, but are entrusted for the rest, who they know to bee Proprieto^{rs}

It's demanded of them if they or any of them have heard of the Names in the Dutch Records of w^{ch} diverse were read to them, They say some they remember, but they are dead, soe doe not love to heare of them, It's 40 years agoe since that Record.[1]

It was askt, if they then lived upon Staten Island, They say — Yes; & that these now Clayming are descended from them.

It was then enquired of them, since those whose Names were read did 40 yeares agoe sell their Interest, why these now would sell it againe? They say they sold but part; It's told them that it appeares upon Record that all was sold; They being told that since these now would sell the

[1] These records are in the office of the Secretary of State, at Albany, among the land patents and deeds. The patent to Michael Pauw, August 10, 1630, is in *Book GG*, p. 6. There are correlated records in *New York Colonial MSS.* (deposited in N. Y. State Library), vol. 9, pp. 622, 625, vol. 11, pp. 53, 54; vol. 12, pp. 61, 69; vol. 13, pp. 42, 96, 144; vol. 14, pp. 30, 43.

Land againe after it had been sold 40 yeares agoe, their Children 40 yeares hence may doe y^e^ like; They say still that then only part of it was sold, soe they continued on it, but now if they shall sell it all, they will goe off & leave it.//

They are told how it is made appeare y^e^ Island hath long since been bought; However in Consideration of their quiet Leaving y^e^ Island a Present shall bee made them somewhat extra[or]dinary for their Satisfaction.//

[21] They still insist that a part was only sold, & a small Matter only paid.

All the Old Dutch Records were produced & Examined into; wherein it was found that the said Staten Island was sold, & the Consideracon Agreed upon therein menconed, with all the Indyans Names & Markes who sold it, — of w^ch^ Warriner, & Aquepo, & Minqua Sachemacks at Staten Island are 3. It was in 1657.[1]

This being prest, they say they'l speake noe more of it, but lett those that are alive of them who made the Agreem^t^ come to the Governo^r^, & satisfy him about it.

Then they are told that though there was an Agreement yet nothing of it was paid, for they did not goe off the Island, but if they will now goe all off, That Agreement shall bee made good to them.

The Particulars are read.— viz^t^ —

10 — Shirts
30 — paire of Stockings Woollen.
10 — Gunns
10 — Barrs of Lead
30 — pound of powder

[1] This deed bears date of July 10, 1657. The purchase was annulled, however, December 22 of that year.—*N. Y. Col. MSS.*, vol. 12, pp. 61, 69. In the deed the three Indians are given as Waerhinnis Couwee of Hespatingh; Acchipoor of Hweghkongh, sachem and chief warrior; and Minquasackingh of Hackingsack.

30 — Ells of Redd Dozens, w^ch^ make 12 Coates
2 — Pieces of Duffells about 36 Coates
30 — Kettles small & Great
50 — Hattchets small & great
25 — Hoes
Some Kniv[es]
Some Awles

[22] They say they'l acquaint y^e^ rest that are concern'd with it, & will send to Warriner, Aquepo, & Minqua-Sachemack to come hither.

At last they promise to bring Aquepo, and Warriner to the Governo^r^ To-Morrow.//

At y^e^ Fort Apr: 9^th^ 1670.

Pres^t^
The Governo^r^
M^r^ Delavall
M^r^ Mayo^r^
M^r^ Van Ruijven
The Secretar̃.

The Busynesse was againe had under Consideracõn about y^e^ Indyans Pretences to Staten Island.

The Indyans brought only Aquepo w^th^ them; they say Warriner is sick, & besides if hee were well hee would not come, for that hee hath play'd away all his Interest in Staten Island.

Afterwards came also Minqua Sachemack.//

Aquepo being shewn the Record where his Marke was, hee presently found it out.

Hee saith farther that y^e^ Governo^r^ then promised y^e^ severall things mentioned to bee Agreed for the Island, & sent into Holland for them, but they never were sent.

It's askt if the Gov[er]no^r^ will now make good [23] that Agreem^t^, whether they are content to quitt the Island.

Aquepo p[r]tends, It was Agreed but for a part, but they are told y[e] Record mentions the whole Island, w[ch] is more certaine then what hee saith.

They refuse to take what was then Agreed upon.

It's told them, if they will not sell they must Plant in some Corner of the Island that may bee ffenct in; And if they shall disturb y[e] People, Cattle, or Hoggs that live there, they shall bee severely punisht.

Some of y[e] Indyans present lay Clayme to y[e] Land by Harlem, but y[e] Records shews it was bought & paid for 44 yeares agoe.[1]

It being askt what they demand more then was Agreed formerly;

They desire to know what y[e] Governo[r] will give for the Island, It's told them, what was Agreed for formerly, They still insist that the Agreem[t] was but for part.

They demand for the whole as followes.

300[2]—	600 —	ffathom of Wamp[m]
30 —	60 —	Match Coates
—	5 —	Coates of Dussens made up
30 —	40 —	Kettles
20 —	30 —	Gunn[s]
[24]	30	Axes
	30	Hoes
	30	Shirts
		A ffirkin of Powder, judged to bee 50 pound.
		60 Barrs of Lead.
		50 Knives.

[1] The reference is to the purchase of Manhattan Island from the Indians in 1626, for the value of sixty guilders, an equivalent of twenty-four American dollars.

[2] The figures in this column are those referred to as "in y[e] Margent," wherein the governor and council sought to reduce the amount asked by the Indians.

Afternoone.

It's offerd to make an Abatem^{t} as is in y^{e} Margent.

The Indyans ask more 100 ffathom of Wamp^{m}, 10 Kettles & 10 Gunns.

The 100 ffathom of Wamp^{m} is consented to;

The Governo^{r} offers more to give them 3 halfe ffatts of Beere, each of them a white six Stiv^{r} Loafe, & halfe a Mutch of Liquo^{r}//

Quererom who was Employed to bring the Indyans together is to have a Blanckett, & a ffathom of Duffells.

Wackeckanoking one of the Speakers is to have a small Iron Pott in lieu of one hee lost in Towne.

On Wednesday next being the 13th day, they are to come againe & receive their Pay.

[25] The Persons p^{r}sent & concerned strooke hands upon the Bargaine.

To Leave the Island upon receiving the Pay.

Their Names

Aquepo
Minqua-Sachemack.
Wewanecameck
Pemantowes — Aquepo
Quewequeen
Wewanecameck
Mataris
Aquepo in y^{e} name of Warriner.

Apr: 13th

The Sachems appeare, but not all, those that appeare for them absent are written above over against them.[1]

There appeare 4.

[1] Collateral and Illustrative Documents, No. XVII. The text is taken from the original indenture deed owned by the State, formerly in *Land*

The Payment is made, & Deed of Conveyance signed.

Possession of y^e^ Island by Turfe & Twigg was given by y^e^ Indyans the 1^rst^ of May following to M^r^ Thomas Lovelace & M^r^ Matthias Nicolls Deputed from the Governo^r^ // [1]

[26] At a Councell held at y^e^ ffort May y^e^ 14^th^ 1670.

Present

The Governo^r^
M^r^ Delavall
M^r^ Willett.
The Secretary.

M^r^ Mayhews Busyness of Martins Vineyard to bee taken into Consideracõn first. // [2] M^r^ Mayhew.

A Letter from M^r^ Mayhew produced & read wherein hee desires to bee resolved in what nature Martins Vineyard & those parts are as to Government.

The Patent to the Duke includes Martins Vineyard & those other Isles.[3]

Papers, vol. 1, p. 34, but transferred, in 1908, to the archives of the New York State Library. Five Indians, on April 13th, signed by marks for themselves and two of them signed again by marks on behalf of two absentees. On April 15th, the marks of six Indian children and youths were added, acknowledged and witnessed. An engrossed copy of the deed, made in 1786, is in *Patents*, vol. 1, pp. 62–66, in the office of Secretary of State. The duplicate of the original indenture deed, bearing also signatures of Governor Lovelace, is owned by the New York Historical Society, which acquired it by gift from Samuel Hazard, of Philadelphia, on December 1, 1846. It was printed in *Historical Magazine*, vol. 10 (1866), pp. 375–377, and varies from the State's complementary deed in several particulars.

[1] Collateral and Illustrative Documents, No. XVII.

[2] Thomas Mayhew, the elder. The papers are in Collateral and Illustrative Documents, No. XVIII.

[3] The grant to the Duke of York included " all those severall Islands called or knowne by the names of Martin Vineyards and Nantukes otherwise Nantukett," and all the islands appertaining to them.— *Colonial Laws of New York*, vol. 1 (Albany, 1894), p. 1.

It is Ordered, That a Lett^r bee sent to M^r Mayhew, to desire him according to his Proffer to take a Journey hither, to consult about those parts, & their Settlem^t, & that hee give Notice, to those of Plymouth Colony, Rhode Island, or any other that have any p^rtences, or lay Clayme to any of those Islands, to lett them know that within the space of two Months y^e Governo^r intends to settle those parts, soe that they may doe well to come or send some Agent to Act for them, otherwise after that time all y^e Pretences or Claymes will bee adjudged of noe Validity.//

M^r Mayhew is to bee desired to bring all his Patents [27] Writings or other Papers relating hereunto with him.

The Dukes Patent wherein Martins Vineyard is included is shewn to young M^r Mayhew.[1]

Connecticott Bounds.

The Busyness about Connecticott Bounds & their New Settlements neare Hudsons River, taken into Consideracõn.[2]

It is Ordered to bee referr'd untill an Inter View between the Governo^rs, as also that of the Motion of peace between the Maques & North Indyans,[3] w^th that of y^e Warr between ffrench & Dutch.

Cap^t Baker.

Cap^t Bakers Busyness considered of.[4]

[1] Matthew, son of Rev. Thomas, and grandson of Thomas Mayhew, the elder.

[2] Collateral and Illustrative Documents, No. XIX. See also Bowen. *Boundary Disputes of Conn.* Boston, 1882, pt. iv; and bibliography in *Bulletin* of New York Public Library, vol. iv, pp. 361, ff.

[3] The Mahican.

[4] Collateral and Illustrative Documents, No. XX. The dismissal of Captain John Baker from his command as deputy governor at Albany was the culmination of a series of disorders which were induced by his querulousness and arbitrary demeanor, particularly with William Paterson, a merchant of New York City, but temporarily at Albany. Baker had been put in command by Governor Nicolls, September 25, 1665, as successor to Captain John Manning. In August, 1668, joint instructions were issued to him by Nicolls and Lovelace, for the proper regulation of the militia and other affairs at Albany, and contained sound advice. The first article read: " Because t'is in vaine to give Instructions unlesse you observe them punctually; you are strictly charged and required, to read them over frequently, and not to

It is Ordered, That Capt Baker bee dismist his Military Employment, both at Albany, or any other part of the Governmt &c:

Capt Salisbury to bee in his Place.[1]

The Busyness of Eleazer Leveridge & his reputed wife Rebeckah taken into Consideracon.[2] (Leveradge & his wife.)

follow yor owne humor but my [our] ordrs" He was not to let his "eares be abused with private Storyes of ye Dutch, being disaffected to the English," and when he had sufficient testimony against any Dutchman of words or actions tending to a breach of peace or scandalous in defamation, the offender was to be delivered over to the commissaries. His fracas with Paterson happened on July 31, 1669. Paterson sent a written complaint to the governor involving a technical charge of burglary as well as assault. The evidence against Baker was overwhelming and he offered to apologize and admitted his fault, but the Scotch blood of Paterson would not so easily be assuaged. On October 4, 1669, a special arbitration commission was appointed by Lovelace, to sit on the case which, figuratively, sat on Baker, finding him at fault and ordering him to pay to Paterson two hundred guilders, seawant, as damages, whilst the charges of the commission were to be borne equally by the litigants (October 6, 1669). Paterson soon disappears from the scene, but we cannot agree with Mr. Innes that he is the same William Paterson who founded the Bank of England and was noted for philanthropies. Baker appears at Esopus, June 19, 1671, interested in obtaining land for one of his sons, and Lovelace ordered the magistrates "to cause one of ye best in my Disposall to be laid out at Marbleton for him," promising confirmation by patent. In 1673 Baker is found as a petitioner from Elizabeth Town, New Jersey, in which he had a joint interest, and where he died in September, 1702.— *General Entries*, vol. 4, p. 19; Brodhead. *Hist. of N. Y.*, vol. 2, pp. 87, 167; *N. Y. Col. Docs.*, vol. 2, p. 571; *N. Y. Col. MSS.*, vol. 22, p. 10; for his will, etc., see *New Jersey Archives*, vol. 21, p. 151. The papers on the case of Paterson *vs* Baker embrace complaint, answer, depositions, statements of Gerrit Swart, the Albany schout, correspondence of Albany commissaries and letters from Lovelace, minutes of court martial, Baker's apology and bond, appointment of arbitrators and their report, etc., which are in *New York Colonial MSS.*, vol. 22, pp. 78–94; *Court of Assizes*, vol. 2, pp. 200, 418–419, 489; *Orders, Warrants, Letters*, vol. 2, pp. 514–516; and perhaps others. A good summary of this case is in Innes. *New Amsterdam and its People*, pp. 199–203.

[1] Captain Sylvester Salisbury. His commission, dated July 13, 1670, is in *N. Y. Col. MSS.*, vol. 22, p. 104. See Collateral and Illustrative Documents, No. XIX. For personal data see Talcott. *Genealogical Notes of New York and New England Families*, p. 216; *Magazine of American History*, vol. 19, pp. 233–244.

[2] Collateral and Illustrative Documents, No. XVI.

It is y^e^ Opinion of M^r^ Delavall, M^r^ Willett, & y^e^ Secretary that there is sufficient Occasion of a Divorce, & also some Allowance from the Man to the Woman out of his Estate.//

[28] At y^e^ Fort July 7^th^ 1670.

Before y^e^ Governo^r^

Pres^t^

The Governo^r^
M^r^ Delavall
The Secretary

The Matter under Consideracõn is y^e^ difference between John Archer for ffordham, & the 3 ffarmes — Betts, Tippett, & Heddy — touching their Meadow.[1]

Archer claymes 30 Acres as sold him by Doughty, Betts claymes y^e^ rest, & y^e^ Swamp. The Swamp lyes under y^e^ Towne, & cannot bee accompted Meadow, as both M^r^ Jacques Cortelijau & M^r^ Thomas Rider Surveyo^rs^ doe report; An Order hereupon.[2]

For y^e^ Ord^r^ vide y^e^ Records

At y^e^ Fort July 7^th^ 1670.

Before the Governo^r^

M^rs^ Harrison & West-Chest^r^

Vpon y^e^ Complaint of Thomas Hunt Sen^r^ & Edward Waters[3] on behalfe of y^e^ Towne of West Chester against a

[1] Collateral and Illustrative Documents, No. III. Archer brought suit at the assizes, October, 1672, by a special warrant, against Betts, Tippett and the inhabitants of the three farms near Fordham, as to right of title to the "Bagg of Swamp or Marsh." The jury found for Archer, and the court concurred.— *Court of Assizes*, vol. 2, pp. 289, 296, 301, 308. At the same session of the assizes, John Heddy was fined five pounds, on a charge of hog-stealing, of which he could not clear himself to the satisfaction of the court.— *Ibid*, pp. 290, 298, 302, 312. Heddy had been appointed one of two overseers for the town of Fordham, on February 13, 1671/2.— *Records of New Amsterdam*, vol. 6, p. 362.

[2] Collateral and Illustrative Documents, No. III.

[3] Edward Waters, constable of the town of Westchester, was one of its

Woman suspected for a Witch who they desire may not live in their Towne; The Woman appeares with Capt Ponton [1] to [29] justify her selfe; her Name is Katharine Harryson.[2]

Their Peticon, as also another from Jamaica against her settling there were read.

Shee saith shee hath lived at Wethersfield 19 yeares, & came from England thither; Shee was in Prison 12 Months.

Shee was tryed for Witchcraft at Hartford in May last, found guilty by the Jury, but acquitted by the Bench, & released out of Prison, putting her in minde of her Promise to remove.

An Ordr that shee remove out of Towne &c:

original patentees.— Bolton. *Hist. of the Town of Westchester* (1881 edition), vol. 2, pp. 296, 301.

[1] Richard Ponton or Panton, of Westchester. On January 23, 1670/1, he sold to John Hunt, also of Westchester, " my now dwelling House in Westchester with two Home Lotts lyeing by it, as adjoyning thereunto, with other appurtenances."— *Deeds*, vol. 3, pp. 136–137.

[2] Collateral and Illustrative Documents, No. XXI. Katherine Harrison, widow of John Harrison, of Wethersfield, Conn., whose daughter Rebeckah had been married to Josiah Hunt, son of the above-mentioned Thomas Hunt, Sr. She lived at Westchester with her son-in-law and daughter, who sued her for the recovery of property said to have been left to the daughter by her deceased father, and which it was claimed her mother withheld from her. Jonathan Gilbert, of Hartford, a cousin of the widow, was one of the executors of John Harrison's will.— *Court of Assizes*, vol. 2, pp. 261–266 (October, 1671); *Records of New Amsterdam*, vol. 6, pp. 302, 306. John and Katherine Harrison were married on May 4, 1653 and had three daughters, of whom Rebeckah, born February 10, 1654, was the oldest.— Adams and Stiles. *Hist. of Ancient Wethersfield, Conn.*, vol. 2, p. 416.

New York had an earlier witchcraft trial at the assizes, on October 2, 1665, against Ralph Hall and his wife, Mary, both of Brookhaven. They were accused of causing the death of George Wood and of " an Infant Childe of Ann Rogers, widdow of ye aforesaid George Wood deceased." Hall was bound over " Body and Goods " as security on a recognizance for his wife's appearance " at the next Sessions and so on from Sessions to Sessions, as long as they stay wthin this Government."— *Court of Assizes*, vol. 2, pp. 38–42.

The Ordr drawn at large, to wch Reference to bee had.

The Courts Ordr at Har[t]ford, was as followeth.[1]

Cort of Assistants Har[t]ford May 20th 1670.

This Cort having considered ye Verdict of ye Jury respecting Katharine Harrison cannot concurre with them soe as to Sentence her to Death, or to a longer Continuance in Restraint, but doe dismisse her from her Imprisonmt, Shee paying her just ffees to ye Goaler; Willing her to minde ye performance of her Promise of removing from Weathersfield, wch is that, as will lend most to her own Safety & ye Contentmt of the People who are her Neighbors//

Daniell Garrad is allowed for keeping Goodwife Harryson five pounds.

Extracted out of ye Records of ye Court.

p me John Allen Secr.

[30] At the Fort. Aug: 24th 1670.

Prest

The Governor
Mr Delavall
The Secretary

Katherine Harison.

The Mattr to bee considered of is the Complaint of ye Towne of West-chester against Katharine Harryson Widdow suspected of Witch-craft &c:[2]

They being all appointed to appeare before the Governour this day;

[1] On her imprisonment and trial in Connecticut, see *Records of Court of Assistants*, vol. 1, pp. 1–17; *Colonial Records of Conn.*, vol. 2, pp. 118, 132; *Doc. Hist. of N. Y.* (octavo edition), vol. 4, pp. 136–138; Taylor. *The Witchcraft Delusion in Colonial Connecticut.* 1647–1697. New York, [1908], pp. 47–61, 153; Adams and Stiles. *Hist. of Ancient Wethersfield, Conn.*, vol. 1, pp. 682–684.

[2] Collateral and Illustrative Documents, No. XXI.

There appeared for y^e^ Towne Edward Waters Constable & John Quinby;

ffor y^e^ Woman Cap^t^ Ponton, Thomas Hunt Sen^r^, & Jun^r^,[1] Roger Townsend,[2] & one More.[3]

Cap^t^ Ponton produced a Lett^r^ from Cap^t^ Talcott [4] to him in Justification of the Womans Innocency, & another Letter from John Allen Secretary of Connecticott Governm^t^, in excuse of not sending y^e^ Womans Papers.

Josiah Willard being desired to say what hee knew concerning the Woman, making Relation of what is certifyed by M^r^ Allen, hee is one of that Governm^t^ that knew of her Arraignment, & was spoken to (that hee would bee p^r^sent) by y^e^ Constable, but hath nothing to say further.

It being taken into Consideracõn, It is Ordered that the Discussion of this Matter bee referrd [31] to y^e^ next Geñ^al^ Court of Assizes; In y^e^ meane time that shee give Security for her good Behavio^r^, during the time of her Abode amongst them at West-Chester.// [5]

[1] Thomas Hunt, Jr. was an ensign of the foot company of the town of Westchester, but was succeeded by Joseph Palmer, June 27, 1672, or a few days after Hunt had been served with a warrant to appear at the court of sessions, held in Jamaica, to answer to a presentment in which he was charged with hog-stealing. He was found guilty at the sessions, and was bound over to the court of assizes of October, 1672, where he was fined " sixty pounds, or receive the Corporall punishm^t^ of Thirty nine Stripes at the Common Whipping Post before the State House in this City [New York] before the breaking up of this Co^rt^," to pay the costs and provide security for his good behavior.— *General Entries*, vol. 4, pp. 141, 147; *Court of Assizes*, vol. 2, pp. 290, 298, 311.

[2] For land patent of Roger Townsend at Westchester, see *Court of Assizes*, vol. 2, p. 528, and for deeds recorded for him, in 1672, see *Deeds*, vol. 4, pp. 72–74. His will, dated May 7, 1674, mentions his wife, Mary. She was soon married to Captain Richard Osborne, who was appointed administrator of Townsend's estate.— *Collections* of N. Y. Hist. Society, 1892, pp. 28, 38.

[3] The meaning here seems to be that one more, besides those named, appeared for Mrs. Harrison.

[4] Captain John Talcott, of Hartford, and treasurer of the colony of Connecticut.— *Talcott Pedigree in England and America*, pp. 32–33.

[5] Collateral and Illustrative Documents, No. XXI.

At a Councell held y^e^ 22^th^
day of Octob: 1670.

Present

The Governo^r^
M^r^ Mayo^r^ [1]
M^r^ Steenwijck
The Secretary.

Albany Schout.

The Matt^rs^ under Consideracõn. ffirst about y^e^ Schout at Albany.[2] 1. That y^e^ p^r^sent Schout doe continue untill M^r^ Mayo^rs^ goeing up, when hee may make Enquiry of a person that may bee most acceptable to y^e^ Magistrates of y^e^ Towne to bee in that Employment, Vpon whose Recommendacõn that Person may bee confirmed in the Place.//

Maritien Damen

2. The next about Maritien Damens [3] & Jan Clutes Exchange of the 6. Margen.

That what was Ordered by y^e^ Governo^r^ & Councell at their being there this Summer doe stand good.[4]

Cap: Salisbury's Lett^r^ about trading w^th^ Cattle for Beaver.

3. As to Cap^t^ Salisburyes Letter about the New [32] England Mens Trading at Albany w^th^ Horses and Cattle for Beaver.

[1] Thomas Delavall, who had been commissioned mayor of New York City, on October 9, 1670.— *Court of Assizes*, vol. 2, p. 598.

[2] Gerrit Swart was then sheriff of Albany, and had been till 1665 schout of the colony of Rensselaerswyck.— See O'Callaghan. *Hist. of New Netherland*, vol. 2, p. 564; *Van Rensselaer Bowier Manuscripts*, pp. 844-845.

[3] Maritie Damen was first married to Direk van Eps, and after his death became the wife of Hendrick Andriese van Doesburgh, who died about 1663. In 1664 she was married again, to the widower, Cornelis Hendrickse van Nes. She received a patent, on May 8, 1668, for land at Canastagione, apparently that part of the present town of Clifton Park, Saratoga County, lying east of Stony Creek and abutting on the Mohawk River, opposite "Great (now Shakers) Island." She also owned a house and lot in Albany.— Pearson. *First Settlers of Albany*, pp. 37, 128; *ibid. First Settlers of Schenectady*, p. 221; *ibid. Hist. of Schenectady Patent*, pp. 105, 185. For van Nes see also *Van Rensselaer Bowier Manuscripts*, p. 824. The patent of May 8, 1668, is in *Patents*, vol. 3, pp. 26-27, office of Secretary of State.

[4] Collateral and Illustrative Documents, No. XXII.

That an Ordr & Proclamacon[1] bee made to Prohibitt the Importacon of Cattle, Horses, or Goods from any other Government to that Place over Land, or of Exportacon of Beaver or Peltry from thence that way, without particular Order from the Governor under the penalty of forfeiture &c: untill his Royall Highness Pleasure shall bee further known herein.

4. In Answer to ffather Pierron[2] Lettr; To recommend it to Capt Salisbury & the Commissaryes to bee very watchfull over his Actions, & to give Acct thereof upon all Occasions. Father Pierson [*sic*]

5. About fortifying of the Towne and ffort, That they bee putt in minde of their promise & Engagemt thereupon to ye Governor Fortifying y Fort at Albany

6. About ye peace between ye Maques and Mahicanders. Maques & Mahicanders

To leave this in suspence untill ye Certainty of Governor Winthrops Voyage for England bee knowne, & the Returne of Mr Mayor from Albany.[3] A peace.

7. About Bridge Money for Horses &c:[4] Bridg Money.

[1] The full text of the order and proclamation has not been found after prolonged search.

[2] Father Jean Pierron, S. J., who says he "arrived from Europe on the 27th June, 1667."—Sainsbury. *Calendar of State Papers, America and West Indies*, 1661—1668, p. 496. His correspondence with Lovelace began in 1668. Lovelace, in a letter to Thomas Delavall, July 6, 1671, referred to one of Pierron's letters as "a French Rant." On the correspondence between the Jesuit and the governor, see Thwaites. *Jesuit Relations and allied Documents*, vol. 52, pp. 12, 139–141, 262; and vol. 67, pp. 41–43, 47, 333; Brodhead. *Hist. of N. Y.*, vol. 2, p. 146; *N. Y. Colonial Docs.*, vol. 9, p. 883. For sketch of Pierron see Thwaites. *Jesuit Relations*, vol. 50, p. 323; vol. 71, p. 150.

[3] For earlier documents see Collateral and Illustrative Documents, No. XIX.

[4] On September 20, 1671, Ralph Warner was appointed "to take Cognizance of all Horses or Mares that shall come to ye ferry or parts adjacent to be Transported out of this Governmt, And that you Record the Attestacons from whence they come, together wth their Markes & Colours, and receive ye Sallary allowed for ye same." The court of assizes of 1669 had ordered that a person should be appointed for this purpose and to prevent abuses.—*General Entries*, vol. 4, p. 35.

An Ordr thereupon, to ye wch to referr. vide ye Records.

Stealing Canooes.

[33] 8. About Stealing of Canooes &c:

The having a Watch kept to prvent Disordrs by Night to bee left to farther Consideration; but for the present, That the Sherriffe of ye City doe take an Exact List of ye Inhabitants & Burgers in each Street of the Towne,[1] & make Returne thereof to the Governor &c:

As to ye Penalty for Stealing Canooes &c: That the Persons who shall bee found guilty shall bee lyable to a ffine & Imprisonment or Corporall Punishment according to the Demeritts of the ffact.// [2]

Eleazr Leveradge his Marriage null.

9. Nullity of Marriage between Eleazer Leveridge & Rebeckah his Wife.

And Ordr issued forth accordingly.// } vide ye Records.[3]

Whore kill Customes.

10. The Abollishmt of Customes at ye Whore-Kill to bee Ordered; & a Lettr written to the Inhabitants in Answr to their Peticon.

An Ordr & Lettr drawn up accordingly, whereunto to be referr'd.// vide ye Records.[4]

[1] This is an interesting fact in the history of the census of New York City, although the list seems not to be in existence. Lists of the residents in 1665 are in Valentine's *Manual*, 1849, pp. 356–359, and *ibid*, 1861, pp. 613–621. Another list of 1674 is in *ibid*, 1866, pp. 805–809. For later censuses see *Doc. Hist. of N. Y.*, vol. 1 (octavo edition), pp. 687–697.

[2] Collateral and Illustrative Documents, No. XXIII. The punishment accorded by the court of assizes, October, 1672, for stealing of hogs, boats or canoes was severe. It involved a fine, corporal punishment or even having an ear cut off.— *N. Y. Colonial MSS.*, vol. 22, p. 142 (Article 8). See also *Records of New Amsterdam*, vol. 6, p. 359 (February 13, 1671/2).

[3] Collateral and Illustrative Documents, No. XVI.

[4] Collateral and Illustrative Documents, No. XXIV.

[34] At a Councell held in y^e ffort
Decemb: 1^st 1670.

Present

The Governo^r
M^r Mayo^r
M^r Steenwijck
The Secretary

M^r Smiths Peticon taken into Consideracon about the Bounds of Nesaquake River,[1] M^r Smiths Clayme being

M^r Smith. About Nesaquake Bounds.

[1] Collateral and Illustrative Documents, No. XXV. On account of the involved nature and prolonged litigation of the case of Richard Smith against the town of Huntington, as to title to the Nesaquake or Nissequogue lands, we have included also the records of the case at the various sessions of the court of assizes.

Richard Smith, the patentee of Smithtown, L. I., was known as the "Bull rider" and is the ancestor of the family of "Bull Smiths." He was a son of Richard Smith, a native of Gloucestershire, England, and a pioneer of New England at Taunton, Mass., in Rhode Island and later on Long Island and in New Amsterdam. Richard, the son, was at Southampton, L. I., as early as October, 1643; was chosen a freeman of that town on October 7, 1648; became constable on October 7, 1650, and held other offices there. He was banished by the general court in September, 1656, for "vnreuerend carriage towards the Magistrates," or contempt of court, and removed to Setauket or Brookhaven. For a time he had charge of his father's property in New Amsterdam, which was disposed of in 1662. Becoming ambitious to hold extensive lands on his own account, he purchased from an Indian sachem, named Nassekege, land on the east side of the Nissequogue River, and made an agreement to purchase from Lion Gardiner another tract on the west side of that river, adjoining Huntington and claimed by that town. It was this last named transaction which precipitated the protracted controversy with Huntington. He died on March 7, 1692/3, and was survived by his widow, Sarah Folger, of Boston, who died in 1708. They had seven sons and two daughters from whom a large progeny is descended. For personalia see Pelletreau. *Wills of the Smith Families*, p. 14 (note); Pelletreau. *Records of the Town of Smithtown* (1898), pp. vii–x, 464, 490; *Huntington Town Records*, vol. 1 (1887), p. 170 (note); Innes. *New Amsterdam and its People* (1902), pp. 218–222; Montgomery. *Smith Family of New York* (1879). For the land controversy see also *Huntington Town Records*, vol. 1, pp. 7 (note), 92–96, 169–170, 176–177, 179–180, 193–200, 209–214; *Records of East-Hampton*, vol. 1, p. 336; Pelletreau. *Records of the Town of Smithtown*, pp. 1–38; *Brookhaven Town Records*, vol. 1, pp. 22, 46–48.

heard as to y^e^ Bounds of Nesaquake Lands, shee [*sic*] declared it to bee as farr as the fresh Pond on the West side of the River, & soe to the Hollow.

It is Ordered, That the Bounds of Nesaquake Land as sett forth by M^r^ Smith, being to the Westermost side of the ffresh Pond bee sent to Huntington for them to returne in Answer what they have to say to the contrary.

To recommend a Composure.

M^r^ Smith engages to settle 10 ffamilyes if they have the Land to the ffresh Pond.//

Maques & Mahicand^rs^

About the Peace between y^e^ Maques & Mahicand^rs^

Ordered that a Letter of what hath past at Albany & Schanechtide with a Translation of y^e^ Proposic̃ons made by the Indyans there bee sent to Governo^r^ Winthrop, with a Desire of his Answer upon it.[1]

The Heer Joh̃es de Decker.

Mijn Heer Johannes de Deckers Petition to his Royall Highness vs Reference thereupon being [35] considered of, concerning ten Negroes hee layes Claime to & his Sallary due from y^e^ West Indya Company,[2] It is Ordered, That Thursday y^e^ 8^th^ of this instant Month bee the time appointed to heare M^r^ Deckers p^r^tences in Order to the Petition and Reference of his Royall Highnesse afore-mentioned; To

[1] For earlier documents see Collateral and Illustrative Documents, No. XIX.

[2] Collateral and Illustrative Documents, No. XXVI. De Decker said in his petition that he had left ten negroes "in custody of one Resolved Waldron to dyet and keepe them for your petitioner," but were seized by Thomas Delavall "as negroes belonging to the Dutch Company, but indeed were not so."— *Collections* of N. Y. Hist. Society, 1892, pp. 82–83. These negroes were part of a consignment of slaves brought over by the slave ship "Gideon" to New Amsterdam, in August, 1664, just prior to the surrender of the city. De Decker claimed protection under article 3 of the articles of surrender. He had been a member of the council of the Dutch West India Company at New Amsterdam, and was one of the Dutch commissioners who signed the articles of capitulation to the English in August, 1664. He was banished from New York, on September 30, 1664, to leave within ten days, for trading with powder and negroes up the Hudson River as far as Albany, without having obtained first a certificate from Governor Nicolls, and because "hee

which end a Summons is to bee sent to him to appeare that day in the ffort by two a Clock Afternoone, to make good ye prtences & Claymes mentioned in his Peticon.

That the Mayor & Aldermen have Notice to Attend the Governor at the same time & place, & all Witnesses then to appeare likewise.

Mijn Heer Stuijvesant
Mr Van Ruijven,
Resolved Waldron. } To have Notice.

The Mayor & Aldermen to bee as Assistants to the Governor & Councell.

Mr Deckers prtences for Land at Staten Isld to bee left to farther Consideration.[1]

Philip Pieters about Land on Staten Isld

Philip Pieters [2] Bill of Sale for Land there, The Title is judg'd soe obsolete and old, that his prtence thereupon is void; Jacob Melijen [3] from whom hee derives his Title, having sold all hee claymed there unto the West Indya Company, reserving only a ffarme.[4]

did endeavor by discourses to alienate the mindes of his Matyes Dutch subjects from that happy reconcilement without bloudshed," and for other alleged causes. He received a pass, accordingly, on October 5, to go with eight negro servants and his necessaries " to the french plantations of Martinica, Gardeloupa or St Christophells " and thence to Holland. After the treaty of Breda, the Duke of York referred De Decker to Lovelace for the redress of his grievances, and it is this inquiry by Lovelace that appears in the council minutes. De Decker received from Lovelace, as a peace-offering, a tract of land on Staten Island. His name is yet perpetuated in Deckertown, Sussex County, N. J.— Innes. *New Amsterdam and its People*, pp. 42–43; *General Entries*, vol. 1, pp. 23, 39, 149; Brodhead. *Hist. of N. Y.*, vol. 1, pp. 599, 625, 741, 742, 743–744, 763; vol. 2, pp. 35, 46, 182–183.

[1] Collateral and Illustrative Documents, No. XXVI.

[2] This refers to Philip Pietersen Schuyler, often called Philip Pieters, for short. He was of Albany and was also interested in the settlement of the new villages at Esopus, in November, 1668.—*Orders, Warrants, Letters*, vol. 2, p. 280; *N. Y. Colonial MSS.*, vol. 10, p. 113. See for personal data Munsell. *Schuyler Family* (1874); *Van Rensselaer Bowier Manuscripts*, pp. 841–842; Schuyler. *Colonial New York*, vol. 1, pp. 99–186.

[3] Son of Cornelis and Jannetje Melyn.

[4] Collateral and Illustrative Documents, No. XXVII.

There appearing noe Transport of the Land nor Record thereof, hee hath his Remedy only against Melijen, for what hee hath disburst.//

Mr Sharpe about Domines Hook.

[36] In the Busyness of Mr Sharpe[1] about Domine's Hooke,[2] That Mr Van Brugh[3] & Mr Bayard,[4] & also Mr Sharpe doe Attend the Governor & Councell To-morrow by ten a Clock in the Morning, when both Partyes shall bee heard.

Seatalcot. for Enlargemt

Seatalcott Busyness for Enlargement.[5]

[1] John Sharpe, of New York City, who had come over with Governor Nicolls from England, in 1664, having resided in London "at the Signe of the Ramme in ffleete Streete." He was commissioned a public notary by Governors Nicolls and Lovelace.—*Orders, Warrants, Letters*, vol. 2, pp. 23, 197, 237; *Court of Assizes*, vol. 2, p. 573. See also *Collections* of N. Y. Hist. Society, 1892, p. 166; Bergen. *Kings County Settlers*, p. 260.

[2] Situated up the East River, at the mouth of Mespath Kill (now Newtown Creek), and consisting of one hundred and thirty acres of upland and meadow, being the section of late called Hunter's Point.— Innes. *New Amsterdam and its People*, p. 16. This tract of land had been given to Dominie Everardus Bogardus and was named from him. He had married Anneke Jans, widow of Roelof Jans, and after her death Dominie's Hook was sold at auction, on behalf of her heirs, to John Sharpe for 7950 florin.—*Records of New Amsterdam*, vol. 6, pp. 232–233.

[3] Captain Johannes Peterse van Brugh (or Verbrugge) married Catrina (or Trijntje) Roelofse, daughter of Roelof and Anneke Jans, on March 29, 1658, and in this way he became interested in Domine's Hook. He was one of the first group of aldermen of New York City, appointed under the new form of government, June 12, 1665, and was an alderman at the time of the above transaction. Lovelace also appointed him one of the "Wees-Masters or Guardians of Widdowes and Orphans Estates," in 1671. He died in 1699.—*General Entries*, vol. 1, p. 121; vol. 4, pp. 8, 53; *N. Y. Colonial MSS.*, vol. 22, p. 119; *Collections* of N. Y. Hist. Society, 1892, pp. 89, 93; Stoutenburgh. *Oyster Bay*, pp. 691–692.

[4] Nicholas Bayard, surveyor of the customs in New York, who had been granted letters of denization, October 12, 1668.—*Orders, Warrants, Letters*, vol. 2, p. 298; *N. Y. Colonial Manuscripts*, vol. 22, p. 53; *Court of Assizes*, vol. 2, p. 605. As vendue master he had sold Dominie's Hook, on February 10, 1670, to John Sharpe.—*Records of New Amsterdam*, vol. 6, pp. 232–233. For an account of Nicholas Bayard and the Bayards of New York, see [Van Rensselaer, Sarah]. *Ancestral Sketches and Records of Olden Times*. New York, 1882, pp. 35, ff., 65, ff.; also *Proceedings* of Huguenot Society of America, vol. 2, pp. 27–57.

[5] Collateral and Illustrative Documents, No. XXVIII.

That the whole Towne have Liberty to purchase of the Indyans what is within their Patent, but not to debarr any that can pay their Proportion, or have Stocks; The Names of those that make Purchase to bee return'd to the Governor.//

The House in Pearle-Street being forfeited in the last Dutch Warre, is Ordered to bee sold.// [1]

The House in yePearle Street confiscate.

[37] At a Councell in ye ffort &c:
Decemb. 5th 1670.

Present
The Governor
Mr Mayor
Mr Steenwijck
The Secretar

The Matter under Consideracon was a Petition from ye Heyres of Anna Bogardus [2] about the Sale of Domine's Hooke at an Outcry, to Mr Sharpe.

Mr Sharpe & ye Heyres of Anna Bogardus.

Their Petition read, to which Mr Sharps Answer was demanded.

Hee relates what reasons hee had given formerly to Mr Mayor Steenwijck,[3] the which were his being in Drinke,

[1] The reference is undoubtedly to the tobacco warehouse, managed by Augustine Herrman for Peter Gabry and Sons, of Amsterdam, which adjoined the "pack-huys" of the West India Company. Both houses were confiscated in 1664, at the time of the surrender of New Amsterdam. Later the tobacco warehouse was occupied by Captain William Dyre, collector of the port of New York.— Innes. *New Amsterdam and its People*, pp. 52–53, 54–55.

[2] Anneke Jans, late widow of Rev. Everardus Bogardus. For her will see *Collections* of N. Y. Hist. Society, 1895, pp. 487–489.

[3] Cornelis Steenwijck or Steenwyck was commissioned mayor of New York City by Governor Nicolls, on August 14, 1668, succeeding Thomas Willett's second term, and was continued by Governor Lovelace, on August 14, 1669, to hold over until commissioned anew, on October 9, 1669, until August 14, 1670, and again from then until October 9, 1670, when he was succeeded by

& without Reason, & severall Incumbrances upon the Estate.//[1]

Mr Bayard[2] as Vendue Mastr, & Capt Van Brugh wth Wm Bogardus[3] appeare for themselves & the rest of the Heyres.

Mr Sharpe for himselfe.

Hee alledges the Venditie to bee annihilated by their Disposall of, or Sale of the Hay to severall Persons.

It's referr'd on both parts to bee dicided [*sic*] by the Governor & Councell.

Thomas Delavall, who had already served a term as mayor, from June 12, 1666, until July 24, 1667. Steenwijck at once became an alderman. Lovelace made him a member of his council, on November 22, 1670 (commission delivered 26th). On July 19, 1671, Lovelace was obliged to go to Albany, being called there by "Publique Affaires of ye Nation," and appointed Steenwijck "to take ye managery of such Affaires as shall happen here within ye City of New Yorke or places adjacent, and then to heare & determine as you in yor best wisdome shall conceive requisite." He was enjoined from meddling with the garrison, which was under Captain Manning's charge. In city affairs he was to advise with the aldermen. Steenwijck was confirmed, on July 19, 1671, as one of the "Wees-Mastrs or Guardians of Widdowes and Orphans Estates." After his death his widow, Margareta de Riemer or Reimers, was married to Rev. Henricus Selyns.—*Court of Assizes*, vol. 2, pp. 409, 420, 421, 429, 571, 598, 619; *Orders, Warrants, Letters*, vol. 2, pp. 75, 161, 227; *General Entries*, vol. 4, pp. 8, 10; *N. Y. Colonial Manuscripts*, vol. 22, p. 119; *New Amsterdam Records*, vol. 6, pp. 315–316; *Collections* of N. Y. Hist. Society, 1892, pp. 168, 211; *ibid*, 1893, pp. 414–415, 444–445. There is a sketch of him in Valentine's *Manual*, 1864, pp. 648, ff.

[1] At the mayor's court, April 12, 1670, Sharpe replied to the complaint and said that "if the owners can deliver him a good Title to the sd Land, it may be that their monney shal be reddy."—*Records of New Amsterdam*, vol. 6, p. 232.

[2] Nicholas Bayard.

[3] William Bogardus, son of Rev. Everardus and Anneke (Jans) Bogardus. On June 18, 1668, Governor Nicolls commissioned him a "Dutch Public Notary" of New York City "for the Conveniency & Good of the Dutch Inhabitants of this Citty & Governmt as well as for Strangers of that Nation who may arrive here." Governor Lovelace reappointed him, on September 10, 1668. Bogardus divorced his wife, Weijntie Cebrantz or Sibrants, for adultery, April 5, 1669, and on May 13th of that year was licensed to marry Walburga de Sille, "the widow of ffrancis Cregier deceased."—*Orders, Warrants, Letters*, vol. 2, pp. 211, 246, 369, 379, 408.

Opposite p. 65.

ARTYKELEN,

Van't overgaen van

NIEUW-NEDERLANDT.

Op den 27 Auguſtij, Oude Stijl, Anno 1664.

SYmon Gilde van Rarop, Schipper op 't Schip de Gideon, komende van de Menates, of Nieuw-Amſterdam in Nieuw-Nederlandt, raporteert dat Nieuw-Nederlandt, met accoort, ſonder eenighe tegenweer den 8 September Nieuwe-Stijl, aen de Engelſen is over-gegeven, op Condities als volght:

I.

WY Staen toe dat de Heeren Generael: ofte de Weſt-Indiſche Compagnie ſullen behouden ofte beneffens de ſelven alle de Bouwerven en Pupſen / overgroodt die in ot Fortenſoude mogen ſiaen / en dat het haer bergaen worde om binnen ſes maenden alle ſodanige Wapenen en Ammonitie van oorlogh haer toebehoorende / te verkoopen / ofte doen: de leidt het ſelve te voeren.

II

Alle publijcque Pupſen ſullen blijven tot dat ghedurende haer tot ſy van gebruijck ſullen worden.

III

Eedere een ſal ghelaten Den Borgere en beſitter den ſijne / Landerijen / Pupſen / Goederen / Schepen / als het die zoch ſoude mogen ſijn, of deſe Conterijen / ende na ſijn believen ſullen haer vaer diſponeren.

IV.

Indien ernigh Inwoonder van eenigen ſijn ſelfs te verreyſen / hy ſal gheluchten een jaer en ſes weecken, om ſijne Goederen / Landerijen / Huijſen en Plantagie te verkoopen, en ſijner dan vrij te diſponeren.

V.

Indien dat ernige Hooge ofte publicque Miniſters van ſtaet ſoude mogen ſijn, om haer Engelandt te verreyſen / ſy ſullen Macht hem daer toe gegeven worden / in ſijn Majeſteyts Naem handelen, als beſchet verwaert ſullen waren.

VI.

Ook wert een negatich toegeſtaen / om vry uyt Nederlandt herwaerts te komen / ende te doen ſchepen te planten / ende dat de Dupſe Schepen die hier mogen komen / ende de Dupſen die na derwaerts / ofte met haer eygen Schepen allerley Koopmanſchappen naer Hayti ſenden.

VII.

Alle Schepen van Hollandt ofte elders komende ſullen met haer behoorende goederen hier vry anckeren mogen / en dan hier verkoopen mogen, als voor deſen voor onſe ancommſte / ende dat voor ſes achter een volgende Maenden.

VIII.

De Dupſen alhier ſullen behouden / ende ghemeten bygheport dan conforme an Oudtſtadt ende Beverſwijcke Dorpluyden.

IX.

Geen Dupſe Schuyt ofte Dupſe Jacht / ſal hier ot ernige ghelegentheyt mogen gepreſt worden een Oorlogh, tegens hoedanige Natie het ooch ſoude ſijn.

X.

Geen Mr marthans Man ofte Ingeſeten ſal ernige ongemeenheyt opgeleyt worden / een yder behoudende ſijn Caſtra ende het ſijnige voor haer Officiers daer voor ghehouden word / en dat in dese gelegentheyt / by alsoo in het Fort alle de Soldaten niet komen ingaen, ſoo ſullen de Burgemeeſters gheſtouden ſijn / voor haer Officieren ernighe Dupſen, tot hare eyghe te beſt ſuchten.

XI.

De Dupſen ſullen / aengaende haer erffenijſe / behouden haer eygen gewoonten.

XII.

Alle publicque Geſchrifften en behuijſen betreffende de Erffenijſe van yemande ofte Burgerlijcke Gelegentheyt Dat sonne ofte Weeſ-kamer, ſullen ſorghvuldighlijck bewaert worden van de grote / ander wijſe ſy verſtorven ſijn / ende ſulcke Oeſe huijſen / die de Heeren Generael ofte ſijn comprecteerde / ſullen ſ'ernighen ſijn haer toegeſonden worden.

XIII.

Geen ouderen haer doen de Oeckſchaeck gepaſſeert / ſal weder in recht mogen ghetrocken worden / maer indien yemant verneemt dat hem eenig recht geſchiet is / ſoo yp hem herwaerts tot de Heeren Generael / de ander partij ſal gehouden ſijn hem 't geſupponeerde ongelijck te doen antwoorden.

XIV.

Soo ernighe Dupſenen haer insonderheyt ernighe tijt begeeren te ſijn / ofte ot Engelant thuyswaerts te trecken / ofte in ernighe van ſijn Majeſteyts Plaetſen ofte met de Indianen / ſoo ſal hem op ſijn gedaen Verſoeck aen de Gouverneur een Dupſe verleent worden / dat hy ons een hey Borger van dese Plaetſe / als ooch bygheport ghehouden worden om te negotieren.

XV.

Alle ſubalterne Borgheſy / Officiers / en Magiſtraten ſullen / indien 't haer gheliefft / continueren in haer plaetſe / tot den ghewoonlijcke tijt toe / in welcke de Nieuwe Electie gedaen worde, alſ dan ſullender nieuwe gheſtoorens verdoen door haer ſelven met dese condition dat de nieuwe gheſtoorens Magiſtraten ſullen moeten doen den Eet van getrouwigheydt aen ſijn Majeſteyt van Engelandt / eer dat ſy haer Officie aenvaerden.

XVI

Op alderen het ſal blijcken dat er ernige publijcke onkoſten ijmi gedaen en een middel verdacht / om deſe onkoſten te betalen / het ijs ge accordeert dat dat middel ſal ſtaende gheſpen, ter tijdt toe dat deſe onkoſten ſullen voldaen ſijn.

XVII.

Alle voor-gemaeckte Contracten Beſtuijcken en Weer-ſchulden / tuſſen deſe Provincien yemandt raeckende ſullen volgens de Dupſche wijſe, gedoeghert worden.

XVIII.

Op alderen het kan blijcken dat de Weſt-Indiſche Compagnie van Amſterdam aen yemandt hier ernige ſommie geldts ſchuldigh is / het is geaccordeert dat de ernigheyt van de Schepen en andere ſeijndelige inkomſten der Schepen naer Nederlandt waerende / ſullen ſes Maenden langer continueren.

XIX.

De Militaire Officieren en Soldaten ſullen opentlicken met volle gheweer / vliegende Vaendel / en ſlaende Commuel / ende anders permandt het ſelver ſoude willen hijsten om te planten / haer ſal bergunt en aengeboden worden / tuſſchen Engelandt / en anderen permandt van haer ſoude willen dienen als een Burgaer, ſy ſullen uyterlijck gecommitteert worden / ende daer naer Uyte-Borgers ſijn.

XX.

Soo wanneer de Koningh van Groot-Brittannien / ende de Staeten der Vereenighde Nederlanden accorderen / dat dese Plaetſe en Provintie / weder in handen van de Heeren Staeten ſal gheleevert worden / wanneer ſijn Majeſteyt ſulcks ſal believen, het ſal opgaende voort alvet-gelevert worden.

XXI

De Stadt op de Manathans ſal vermogen haer Gedeputeerdens te verkiesen / ende dese Gedeputeerden / ſullen haer vyye ſtemmen hebben in alle publijcque Beſoignes, ſoo wel als andere Gedeputeerden.

XXII.

Welcke ernige Dupſen mochten hebben in de Fonteresſe Oranje ſullen vermogen / ſoo ſy willen, de Fonteresſe ſelfs / en behouden ofte beſitten haer Dupſen / gelijck een pegelijck voort haer geen Fort en is.

XXIII.

Indien der yemandt van de Soldaten ſoude willen herkeren naer Hollandt / ende anders de Weſt-Indiſche Compagnie van Amſterdam / ofte ernige vande Perſoon alhier haer ſelven ſoude willen ter ranſponeren / ſoo ſullen ſy hunnen een uyp Paſpoort van Colonel Richard Nicolls gedeputeerde Gouverneur onder ſijn Koonclichyche Hoogheyt en van andere Gecommitteerdens om die Schepen te beſichtigen die ſoodanige Soldaten overbrengen, de goederen daer in ymde voor wegh-genomen te worden ofte tegens ernige wederlijcke actie / welcke ſoude mogen van ſijn Majeſteyts Schepen ofte Onderdanen, aengedaen werden.

XXIV.

Dat de Cope van deſe Koonughs Patente, aen ſijn Koonclichy de Hoogheyt en de Copie van ſijn Koonclichyche Hoogheyts Commiſſie aen Colonel Nicolls onderteyckent en getuyght door noch twee Gecommitteert dens en Mr Jan Winthrop, dat het waere Copien uyp; ſullen oock gheleevert worden acti de eerſtaendaige Mr Seyckeland de tegenwoordige Gouverneur / op Maendagh toekomende / ſ'morgens ten achten by de oude Meſen: alſ ooch dat de Artickelen toegeſtaen en bevveghte ſullen worden door Colonel Nicolls, Vice-Gouverneur van ſijn Hoogheyt / en dat dan twee naeren daer naer het Fort en de Stadt / ghenaemt Nieuw-Amſterdam / op 't Eylandt Manathans ſal ofte ſullen worden / in handen van den voor gemelden Colonel Richard Nicolls, door den dueſt van ſoodanige / alſ yp daer toe ſal deputeren, onder ſijn handt en Segel.

Wat onderteeckent

J. d Decker.	Robbert Carr
N Verlet.	George Cartwright
Sam. Megapolenſis.	John Winthrop
Cornelis Steenwijck.	Sam Willes.
O. Stevenſz. Cortlant.	Tho Clarcks.
Jacque Couſeau.	John Phinchon

Ick ſtae dese Artijckelen toe (*ongeveerlen*)

RICHARDT NICOLLS

ARTICLES OF THE SURRENDER OF NEW NETHERLAND.

A Dutch Broadside, probably issued in Holland as a Poster

(Reduced from the Original in the New York Public Library.)

Vpon mature Consideracõn had hereupon, Mr Sharp having confest his Error, It was [38] Ordered, That hee pay back to Mr Nicholas Bayard all the Pluck-Money deliverd out at the Sale, & also the Charges then expended in the House, together with 200 guildrs Damage towards the loss susteyned by ye Persons who expos'd the Land to Sale, who have hereby Liberty to doe what they think good therein for their best Advantage, either by a new Vendue or otherwise.//

The Pluck Money to bee pd in one Month, & the 200 guildrs in 2 mo after Date hereof.//

At ye ffort. before ye Governor
& Councell, & Mayor & Aldermen.
Decem: 21. 1670.

The Matter under Consideracõn is ye Reference from his R. Hs upon ye Peticõn of Johannes De Decker.[1]

The Petition & Reference read, wth ye 3d Article of Surrender mentioned by him.[2]

Mr Decker is desired to make appeare the Allegations in his Petition, about ten Negroes which hee claymes.

[39] Mijn Heer Stuijvesant[3] declares that hee and Mr Decker had Discourse of his having twenty Negroes, & to bee accomptable to the W: India Company for the Produce, but knowes not of their Delivery.

Resolved Waldron[4] acknowledges to have receiv'd severall

[1] Collateral and Illustrative Documents, No. XXVI.

[2] The third article of surrender, of August 27, 1664, was as follows: "All People shall still continue free Denizens and enjoy their Lands, Houses, Goods, Shipps, wheresoever they are within this Country, and dispose of them as they please."—*General Entries*, vol. 1, p. 23.

[3] Petrus Stuyvesant, the former Director-General of New Netherland.

[4] Waldron resided in New Harlem. For a sketch of him and a list of his descendants see Riker. *Revised History of Harlem* (1904), pp. 691–778.

Negroes of Mr Decker, but the Number hee knowes not, only that hee took ten wth him up to Albany.//

Hee urges Negroes to bee the Generall Name of Men & Women, & cannot tell how many hee had of the one or other Sex.//

It's alleged that one Man Negroe was double the price of a Woman.

It's to bee taken into Consideracõn, In ye meane time hee is dismist.

It being putt to the Vote, after a full Hearing and Debate, It was Agreed upon (nemine contradicente) That the Negroes seiz'd upon by Mr Mayor,[1] by ye Governors Order,[2] were taken as belonging to the West India Company, & noe way as the Effects of Mr De Decker; It noe way appearing that hee had possession of above ten of the 20 Negroes hee layes Clayme to.

The Order hereupon is drawn up, & Entred at large in ye 3d Booke of Entryes (of Dayly Orders) Pag: 287.—to wch to referr.[3]

[40] At a Councell held in ye ffort
Decembr: 29th 1670.

Beforenoone.

Prest

The Governor
Mr Mayor
Mr Steenwijck
The Secr.

[1] These negroes were seized by Captain Thomas Delavall, during his first mayoralty, from June 12, 1666, until July 24, 1667.—*Collections* of N. Y. Hist. Society, 1892, pp. 82–83.

[2] An order of Governor Nicolls is meant. For an order of Nicolls, October 26, 1664, concerning negroes of the West India Company, see *General Entries*, vol. 1, p. 54. Concerning "free negroes" in New York, see *Orders, Warrants, Letters*, vol. 2, p. 222.

[3] Collateral and Illustrative Documents, No. XXVI.

Matters under Consideracõn.

About Mr Deckers prtences for Land upon Staten Island, for wch hee hath a Ground briefe.[1]

It is consented unto, that hee shall have the Benefitt thereof, Provided that it bee noe prjudice to the Towne already settled, wch if it shall soe happen to bee, then hee shall have ye like quantity laid out in some other Place by ye Governor,[2] hee being obliged to settle the same in one yeares Time.

That in regard of ye paines & trouble the sd Mr Decker hath taken in coming out of Europe hither, the Governor is willing to gratify him herein, although in strictness his Right is Elapsed.

About Mr Mulfords [3] Letter concerning ye Confirmacõn of the Indyans Deed of Sale [41] & the Sachem Elected by them, It is Ordered That a Commission of Confirmacõn bee sent to ye Sachem, and two Constables Staves fitted for them according to the Request; [4] And ye Deed of Sale confirmed.[5]

That a Lettr bee written to Southampton to restrayne the selling of Strong Liquor to the Indyans, and that the Penaltyes in the Lawes bee putt in Execution.[6]

In answer to that part of Mr Mulfords & Mr James's Letter about Confirmation of their Deed from the Governor; It is Ordered that a Lettr bee sent to ye Comrs for ye Indyan Affaires, who are to examine into the Equity of the Busynesse, & to make Report thereof unto the Governor [7]

[1] Collateral and Illustrative Documents, No. XXVI.
[2] Lovelace.
[3] John Mulford, of East Hampton, L. I.
[4] Collateral and Illustrative Documents, No. XXIX.
[5] *Ibid.*
[6] *Ibid.*
[7] *Ibid.*

Afternoone

Jn° Coopers Peticon taken into Consideracon about the Indyans Assisting in Whaling &c:[1]

The Ordr of ye Comnrs to bee confirmed & observed.

His Proposall of Compounding for ye Customes for what Goods that are Customable shall come to his hands.

That for ye present, it is not found practicable soe ye Consideracon thereof is to bee respited to another time.

[42] The Papers deliver'd in Cort of Sessions from the Townes of fflushing, Hempstead, & Jamaica taken into Consideracon.[2]

The Opinion of ye Justices of ye Peace hereupon, to bee drawn up by To-morrow Morning, & an Order from ye Governor & Councell concerning the same.//

At a Councell held in ye ffort
Janry 11th 1670.

Prest

The Governor.
Mr Mayor
Mr Steenwijck
The Secretar.

[1] Collateral and Illustrative Documents, No. XXIX.

[2] Collateral and Illustrative Documents, No. XXX. The general court of assizes, of October, 1670, had promulgated the following order: "Whereas ye Works & Pallisadoes about the fforte in this City are very much fallen to decay, & it is found requisite & necessary for ye safety of the place & Governmt that some Reparations shall be made thereupon in the Spring, It is ordered that a Contribution or Levy be raisd towards the effecting thereof in each of the Rideings upon Long Island; & the Justices of the peace at ye next Court of Sessions are to consider both of the proportion & manner of rateing it, whereof they are to make Report to the Governour."—*N. Y. Colonial MSS.*, vol. 22, p. 107.

The Matt^r between Rich^d Smith & Huntington, Two Persons coming from Huntington about their Bills of Charges first considered of, declaring not to have received the Copies of the Orders sent them. [Isaack Plott & another]

The Ord^rs made hereupon were read. To bee considered of.[1]

[43] The Inferiour Offic^rs & Souldyers Petic̃on for Lands at Staten Island.[2]

The first Condic̃ons read, w^th y^e Petition of 10 or 11, who had a Reference upon their Petic̃on from Coll: Nicolls.//

Two Petic̃ons to y^e Governo^r now present read.

Those that are capable to settle, to consider amongst themselves how many of them are soe, & to propose how they will proceed to manure the Land they expect.

The Surveyo^r to bee consulted w^th

Seatalcott Busynesse, M^r Lane [3] appeares for them.

Its desired to have Liberty to Purchase for 11 of them at y^e South, for y^e Convenience of the Whale-fishing, & for y^e Meadow.[4]

M^r Lane makes Proposall for to have Liberty for himselfe & M^r Woodhull to purchase & settle two ffarmes at the Wading Place.[5]

[1] Collateral and Illustrative Documents, No. XXV.

[2] Collateral and Illustrative Documents, No. XXXI.

[3] Daniel Lane.

[4] Collateral and Illustrative Documents, No. XXVIII.

[5] Collateral and Illustrative Documents, No. XXVIII. At a town meeting, November 17, 1671, it was voted "that there shall be a Village at the Wadeing River, or there abouts, of Eight famelies or Eight men, to have accommodations as the place will afford, it was granted and agreed upon by a vote, that Daniel Lane, Jun^r, shall have a Lotment at the Wadeing River, convenient to the water for his calling."—*Brookhaven Town Records*, vol. 1, p. 29. On November 23, 1675, the town voted and gave to Richard Woodhull "a farm at the Waeding [*sic*] River, that is to say, tenn akers of upland, where is most convenient to sett a house of, and threescore and tenn akers mor of upland, where the said mr. Richard wodhull shall chuse it," etc. This gift was in consideration of an assignment of Indian land through Woodhull to the town.—*Ibid*, pp. 44–46.

To the first Proposall, That it bee granted that they have Liberty to purchase of the Indyans, after which they shall have soe many Acres as is desired, for an Encouragem^t of Planting, & the Whale-ffishing; Soe that it doe not debarr the Towne from Commonage nor the Meadow each Lott hath [44] at the South.

To y^e 2^d That they bee Gratifyed therein for their own Accomodacon, & for the Reliefe of Strangers passing that way, they paying for it, & keeping an Ordinary.

A Copie of Huntingtons Bill of Charges against Smith to bee sent to M^r Wells, & hee to returne Answer what is usuall to bee allowed upon such Occasions.[1]

At a Councell &c: Fort James.
ffeb^ry 24^th 1670.

Present

The Governo^r
M^r Mayo^r
M^r Steenwijck
The Secretary.

The first Busynesse under Consideracon was the Indyans about Wijckerscreeke.// [2]

The Indyans desire that y^e Governo^r would bee well satisfyed, who are the reall Proprieto^rs of Wijckerscreeke before hee buyes the Land; They say they are the Men, & will bee ready to sell the Land to the Governo^r

[1] Collateral and Illustrative Documents, No. XXV.

[2] A corruption for an Indian place-name of which there are many orthographies, but preferably Wickquaskeck or Weckquaeskeck. It was the name applied to the territorial jurisdiction of a clan of Indians in Westchester County, whose principal village was on the headwaters or tributaries of Armonck or Byram's River.— Ruttenber. *Indian Geographical Names*, pp. 24–25, in "Proceedings" of New York State Hist. Association, vol. 6; Beauchamp. *Aboriginal Place Names of New York*. Albany, 1907, p. 256.

[45] The Names of y^e^ Proprieto^rs^ as they say, are — p^r^esent.— Ramaque — Janorockets Bro: by y^e^ Moth^rs^ side.//

	Pewachtan	Cakensickten
	Nondiackwhare	Pemeckenwerecak
	Careckonde	Nemandamyn
	Coharnes	Perawescamen
	Kewechtahem	Shapham
	Pethung	Quinonckak
	Macmawito	Ermachorne
	Amanequun	Peppham
10.	Sackapreme.	Mawohondt
	————	Tomeackak
		Tawotene
		Nanaquene
	13.	Chusquchaw [1]

N: Bene. Taponque an Indyan pres^t^ saith hee hath Land between Neperan [2] & Wickerscreeke.

They are to consult about y^e^ price they demand altogether; It's in the Paper N^o^ 1.

The second to bee granted if consented unto by the major part of the Inhabitants, It being within the Limitts of the Towne. An Ord^r^

[1] The great variation of Indian names in the records, due to phonetic representation, is often appalling. For example, we find above in the minutes "Janorocket;" in *Deeds*, vol. 3, p. 37, "Jano Rockett;" an Indian deed to Edward Jessup and John Richardson, March 12, 1664/5, in *Deeds*, vol. 2, pp. 58–59, calls him "Shawnerockett," whilst Bolton. *History of the County of Westchester* (1881 edition), vol. 2, p. 361, names him Shanarocke or Shanarockwell, sagamore of Poningoe. These are by no means the only forms given for this Indian.

[2] Sawmill Creek, Westchester County. There are many corrupt forms of the Indian name, as Nepera, Neperan, Neperhan, Neppiran, Niperan, etc. See Ruttenber. *Indian Geographical Names*, p. 23, in "Proceedings" of N. Y. State Hist. Ass'n, vol. 6; Beauchamp. *Aboriginal Place Names of New York*, p. 249. The name was also applied, as Nepperhaem, to Vander Donck's patent of Colen Donck (Yonkers).

To the 3d That Mr Bridges[1] & his Wife bee forthwith invested in the Estate at Newtowne lately in the tenure of John Cockram, in Satisfaction of the Morgage they have thereupon, Provided That payment bee made of a certaine [46] Summe of Money due by Judgment to John Sharpe from the said Cockram without Interest within ye space of nine Months next ensueing the Date hereof, or by ye end of November.[2]

An Ordr hereupon.

An Ordr

To ye 4th That Eleazr Leveradge doe pay or cause to bee paid unto Rebeckah Wright from whom hee is divorced the Sume of twenty five pounds in living Cattle to bee apprized by Indifferent Men, or in Corne, Beefe, or Porke at price currant, in lieu of what shee brought to him at their Marriage.// [3]

[1] Charles Bridges, who had come over from Canterbury, England, and had taken an active part in the Dutch administrative affairs of Curacoa and New Netherland, even changing his name for a time to Carel van Brugge or ver Brugge. His wife was Sarah Cornell, daughter of Thomas Cornell, of Cornell's Neck. She was the widow of Colonel Thomas Willet when Bridges married her in November, 1647. After the death of Bridges she was married a third time, to John Lawrence, Jr., of Flushing. Bridges and his wife succeeded in a suit against Thomas Pell, at the court of assizes, on September 29, 1665, for possession of the land on Cornell's Neck, from which Thomas Cornell had been driven "by the barbarous violence of the Indians, who Burnt his House and Goods, and destroyed his Cattle."— Innes. *New Amsterdam and its People*, pp. 194–195; *General Entries*, vol. 1, p. 155; *Court of Assizes*, vol. 2, pp. 15–18; *Collections* of N. Y. Hist. Society, 1892, pp. 118–119.

[2] Collateral and Illustrative Documents, No. XXXII. John Cockram settled at Newtown, L. I., about 1657. He was licensed in 1667 to marry Elizabeth Sawtell, also of Newtown. This license is entered twice, on January 29th and on February 2d. When his estate was seized for debt, Henry Sawtell, of Newtown, entered a claim against it for oxen which Cockram had sold to Bridges, and "other particulars" in Sawtell's petition were referred to the constable and overseers of Newtown by the court of assizes for report to the governor. The local officials having neglected this duty, Lovelace issued forth another order on the subject, October 18, 1671.—*Court of Assizes*, vol. 2, pp. 64, 284; *Orders, Warrants, Letters*, vol. 2, pp. 115, 134, 369; *General Entries*, vol. 4, p. 54.

[3] Collateral and Illustrative Documents, No. XVI.

To y^e 6^th y^e Towne to pay y^e first, & the Countrey Rates y^e last.— Cap^t Seamans.[1] An Ord^r

To y^e 7^th About Estienne Gaigneau, That Jacques Guijan bring his pretences here, when it shall bee determined.[2] An Ord^r

To y^e Peticon of Peter Stantenburgh,[3] Jan Vigne &c:

They are to bring in an Estimate of what that Land first cost them, & make it appeare what they paid, whereupon Consideration will bee had thereof.[4] An Ord^r

In Answ^r to y^e Peticon of Jacobus and Cornelia Loper,[5] It is not thought fitt to [47] unravell into Transactions soe

[1] Collateral and Illustrative Documents, No. XXXIII. Captain John Seaman, Sr., came from the eastern end of Long Island to Hempstead, to settle a tract of over twelve thousand acres, at what afterwards became the eastern boundary of the Hempstead purchase. He was chosen a magistrate of the town in December, 1656, and held other posts. His will, dated August 5, 1694, names his wife, Martha. The name of his first wife is uncertain. His second wife was Maria More, daughter of Thomas More, of Southold, and it was she who survived him.—*Hempstead Town Records*, vol. 1, pp. 8, 16; *Deeds*, vol. 2, p. 173; *Collections* of N. Y. Historical Society, 1892, pp. 249–251; *N. Y. Gen. and Biog. Record*, vol. 11, pp. 149, ff.; Onderdonk. *Annals of Hempstead*, pp. 16, ff. See also *Biog. and Gen. Record of Captain John Seaman*, by Selah D. Seaman, N. Y., 1881.

[2] Collateral and Illustrative Documents, No. XXXIV. Jacques Guyon (also spelled Guyen, Guyan) was a planter of Staten Island. His will was proved in December, 1694, and his widow, Sarah Cosier, had letters of administration granted to her.—*Collections* of N. Y. Historical Society, 1892, pp. 246, 464. See also Clute. *Annals of Staten Island*, p. 386; Bayles. *Hist. of Richmond County*, pp. 540–541.

[3] Pieter Stoutenburgh, who lived in Broadway above Wall Street, New York City. He had married in New Amsterdam, Aefje or Afegy van Tienhoven, on July 25, 1649. He died on March 9, 1698/99.— Stoutenburgh. *Oyster Bay*, pp. 522, 523; *Records of R. D. Church, Marriages*, p. 15.

[4] On July 12, 1670, Petrus Stuyvesant petitioned the court "that he is abridged in the execution of some of his lands from the public fence;" and on February 28, 1670/71, the court appointed Stoutenburgh, Vigne and Jacob Kipp to inspect the matter and decide thereon.— Stoutenburgh. *Oyster Bay*, p. 523; *Records of New Amsterdam*, vol. 6, p. 285.

[5] It may be this case relates to the claims of Melyn's descendants to Staten Island lands. There was a Jacobus Looper who died in the public service at Albany and whose widow, Neelcye or Cornelia, petitioned, on February 15, 1684, that she might be spared molestation on account of her late husband's debts.—*N. Y. Colonial MSS.*, vol. 31, p. 114.

long since past, & before these parts were reduct to his
An Ordr } Maties Obedience, for that if their pretences were equitable, they had time enough to make their Right appeare heretofore.

Delaware to bee respited till Capt Carrs Arrivall, In mean time a Lettr to bee written & sent by Peter Rambo.[1]

A: Wright. Vpon ye Request of Anthony Wright that hee may have Letters of Administracon upon the Estate of Samuel Mayo deceased,[2] wch can bee found at Oysterbay, hee being a Creditor, & the only person that hath sued for the same, It is Ordered, That hee have forthwith Letters of Administracon, but withall that hee make his Debt appeare at ye next Cort of Sessions to bee held for that Riding.

By Ordr &c:

Gravesend Busyness. } An Ordr thereupon as followeth —

Vpon a Request from some of ye Inhabits of Gravesend, that there might bee an Endorsmt on their Genall Patent[3] of

[1] Collateral and Illustrative Documents, No. XXXV. Lovelace's letter of November 16, 1670, inviting Carr to visit him at the termination of winter, is in *Court of Assizes*, vol. 2, pp. 611–612.

[2] Samuel Mayo and other Englishmen from Sandwich, purchased lands at Oyster Bay from the sachem of the Matinicock Indians. See *Deeds*, vol. 2, pp. 102–106, 219; Brodhead. *History of N. Y.*, vol. 1, p. 595. Anthony Wright's will, dated May 20, 1673 (proved December 8, 1680), mentions his brother, Nicholas Wright. The subject in the council minutes is more particularly given as follows: "Whereas Saml Mayo (or Majo) who had sometime an estate in Oyster Bay, did leave a lot of land he had there in the hands of Anthony Wright, as security for a sum of money and is since deceased intestate. And the said Anthony Wright hath made no improvements, although it hath been in his hands severall years, as no legal conveyance has been made to him, and he is the only creditor to the deceased in these parts," therefore, letters of administration were given to him.—*Collections* of N. Y. Historical Society, 1892, pp. 15, 105, 124.

[3] Director General Kieft gave a patent, on December 19, 1645, for the bounds of Gravesend, and Governor Nicolls confirmed this patent in 1667, to Thomas Delavall, James Hubbard, William Bowne, John Tilton and William Goulding as patentees for themselves and their associates. It included the now famous resort of Coney Island as a grazing place. The land formerly in the tenure of Anthony Johnson and Robert Pennoyer formed the western

a certaine parcell of Land heretofore belonging to Robert Pennoyer[1] & given to the Towne, as appeares in their Records, It was not thought fitt that it should bee endorsed upon their Patent, but if it shall bee desired, y^e^ Towne may have a Confirmation thereof apart from the Governo^r^

By Ord^r^ &c:

[48] His Busyness recommended to M^r^ Coe[2] to make Report of it. Joseph Thurston.[3]

That hee have power to Arrest & Attach upon the River.[4] Haven Mast^r^

boundary of the Gravesend patent.—*N. Y. Colonial Manuscripts*, vol. 22, p. 33. For the land controversy between Gravesend and New Utrecht see *General Entries*, vol. 1, p. 38.

[1] Pennoyer was now settled at Mamaroneck, where he had been appointed as constable by Governor Nicolls, on February 13, 1666–7. His daughter, Elizabeth, and Richard Lownesberry were granted a marriage license in August, 1670. The dispute over title to Pennoyer's land adjoining Gravesend had been referred to the court of assizes, on September 18, 1666.—*Orders, Warrants, Letters*, vol. 2, pp. 100, 130; *Court of Assizes*, vol. 2, pp. 572, 580; *General Entries*, vol. 4, p. 92. For sketch of him see Bergen. *Kings County Settlers*, pp. 222–223.

[2] Robert Coe, of Jamaica. Lovelace had appointed him a justice of peace, on October 28, 1668, in the North Riding of Yorkshire, to represent Jamaica. He had also commissioned him to be high sheriff of Yorkshire for one year, from June 10, 1669, in succession to William Wells, and reappointed him for another year, on June 18, 1670.—*Orders, Warrants, Letters*, vol. 2, pp. 272, 432; *Court of Assizes*, vol. 2, p. 554. See sketch in *Record of the Coe Family*. New York, 1856, pp. 3–5.

[3] Joseph Thurston, of Jamaica, L. I., married the widow of Thomas Foster, of the same place. Foster had died in 1663, and on August 5, 1671, Thurston and his wife were confirmed as executors of Foster's estate. This is apparently the business which Thurston had brought before the council.—*Collections* of N. Y. Hist. Society, 1892, pp. 19, 24. See also *Thurston Genealogies*, second edition. Portland, Me., 1892, p. 361.

[4] Collateral and Illustrative Documents, No. XXXVII. Philip Johns was haven master of New York City, where he resided. He had been originally commissioned by Governor Nicolls, on April 3, 1665, and was continued in that office under Lovelace. His duties are in part described in an order of May 27, 1670. They were, to call upon all masters of ships or vessels coming into the port of New York, for whatever letters they brought in, of which he was to make a list and give a copy thereof to Pieter Schafbanke, one of the mayor's officers, who in turn was required to give immediate notice to all

An Ordr thereupon as followeth.

It being taken into Consideracõn whither properly the Sheriffe of this City hath Power to lay Arrest or Attachmt upon any Person, Goods, or Vessell upon the River or in this Harbor, & it being not found practized in other parts, It was this day Ordered, That henceforth, that is to say, from & after the Date hereof the Haven Mastr for the time being having Warrant from the Mayor or in his Absence from the Deputy Mayor of this City, the wch is returnable at the next Court, have only Authority to Arrest or Attach any Person Goods, or Vessells upon the River, or in this Harbour, for the wch hee is to take such moderate ffees as the Court shall adjudge.

By Order &c:

Capt Wm Laurence.

The Ordr upon his Request.

Vpon ye Request of Capt Wm Laurence [1] of fflushing, That hee may have a Patent of his Land where hee lives with an Addition of [49] a piece of Swampy Meadow Ground, lyeing within that Neck lately consented to bee given him by many of the Inhabits of the Towne, It is Ordered, That the major part of ye Inhabitants who have Priveledge to give their Votes, are contented therewth, That the said Capt Laurence have forthwth a Patent according to his Request.

By Ordr &c:

persons concerned. Johns died intestate and his widow, Mary Hay, was appointed his administratrix, on April 15, 1675.—*Deeds*, vol. 3, pp. 109–110; *Court of Assizes*, vol. 2, pp. 434, 538; *General Entries*, vol. 4, p. 94; *Collections* of N. Y. Hist. Society, 1892, p. 29; *Records of R. D. Church, Marriages*, p. 33, showing marriage record of August 28, 1668.

[1] Captain William Laurence (also Lawrence in the records) was a brother of John Laurence, mayor of New York City. On February 15, 1670/1, Richard Cornell, Elias Doughty and others, in all about twenty-four of his neighbors at Flushing, gave their consent that he should have common land on "the neacke of [land] weer hee liues," it being of "lettell ore noe beneffett toe the inhabettantes," being "lande uncapabell of manewering." This was the land patented to him.—*N. Y. Colonial Manuscripts*, vol. 22, p. 111.

An Ordr as followeth.

Mr Charles Bridges —

WHEREAS Mr Charles Bridges of fflushing & Sarah his Wife have had prtences upon ye Estate & Land of John Cockram late of Newtowne als Middleborough, by vertue of a Mortgage thereupon, the wch hath this day been taken into Consideracõn, It is Ordered, That ye said Charles Bridges & Sarah his Wife bee forthwith invested & putt into possession of ye prmisses, in satisfaction of their Mortgage, the particulars of wch they are to give Acct of at ye next Cort of Sessions; Provided likewise that payment bee made out of the said Estate of a certaine Sume of Money to John Sharpe of this City or his Assignes without Interest, for the wch Judgment hath past in ye Court of Sessions at Gravesend, & that within ye space of 9 mo after ye Date hereof, the paymt to bee made in good pay by ye Apprizemt of indifferent persons.//

By Ordr &c:[1]

Capt Jno Seamans.

[50] An Ordr as followeth.

Vpon ye perusall of two Bills brought in by Capt John

Laurence was fined by the court of assizes, on October 1, 1666, ordered to acknowledge his fault before the court and to apologize in town meeting of Flushing "for speaking seditious words against the Government, and also for resisting and Assaulting the Constable, in the Execucon of his Office." He acknowledged his error to the court on December 18, 1666. Laurence was a justice of peace in the North Riding of Yorkshire. He married twice, the second time in March, 1664/5, Elizabeth Smith, oldest daughter of Richard Smith, the patentee of Smithtown, by whom he had seven children. He died intestate in 1680, "leaving a considerable estate," at Tews Neck in Flushing, and otherwise, for which his widow was appointed administratrix, on March 25, 1680. The following year she was married to Governor Philip Carteret, of New Jersey, who died in 1682, and she was married a third time, to Colonel Richard Townley. Laurence's daughter, Elizabeth, and Thomas Stevens, of Newtown, were granted a marriage license, on February 1, 1672/3.—*Court of Assizes*, vol. 2, pp. 84, 94; *General Entries*, vol. 1, pp. 98, 251; *Collections* of N. Y. Hist. Society, 1892, pp. 66, 108; Pelletreau. *Records of the Town of Smithtown*, pp. 480–481; *Historical Genealogy of the Lawrence Family*. New York, 1858, pp. 23–24, 28–30, 135–139, 145, 149–151, 155–156.

[1] Collateral and Illustrative Documents, No. XXXII.

Seamans, the one for Worke, done by him in ye Month of March 1664, against ye Generall Meeting at Hempstead for ye Towne being — 1li: 18s: 00d. the other by ye late Governors Ordrs about ye Race-Posts — being — 19s;

It is Ordered, That the Towne doe make Satisfaction to him for the first Summe, & that hee bee allowed ye latter out of ye Countrey Rates.//

By Ordr &c:[1]

Capt Silvestr Salisbury.

An Ordr

The Peticon of Capt Silvestr Salisbury being taken into Consideration, In the latter Clause whereof hee desires a Hearing before ye Governor & Councell concerning a certaine difference between him & ffredrick Gijsberts,[2] It is Orderd, That his Attorney doe appeare at ye next Meeting of the Councell; & that likewise Notice bee given to ffredrick Gijsbert that hee attend at the same time when both Partyes shall bee heard.

By Ordr &c:

Mr Mayor[3] to consider of ye ffence.//

[51] At a Councell held at ffort James ye 8th Mar: 1670.

Prest

The Governor
Mr Mayor
Mr Steenwijck.
The Secretary.

[1] Collateral and Illustrative Documents, No. XXXIII. The work performed by him in March, 1664, was evidently in connection with the boundary claims of Hempstead, for which see *Deeds*, vol. 2, pp. 3, 5.

[2] Collateral and Illustrative Documents, No. XXXVIII.

[3] Thomas Delavall was then mayor of New York City.

The Matt^rs under Consideracon.

M^r Doughty, on y^e behalfe of y^e Ord^r of y^e last Councell concerning y^e Estate of John Cockram to bee made over to M^r Bridges & his Wife; M^r Elyas Doughty having bought their Interest desires an Explanation of the latter end of the Order.

M^r Doughty is to bee invested as Charles Bridges, performing y^e same Conditions by an Order.[1]

M^r Heggemans Businesse taken into Consideration; It's about Money borrowed to build the Domine's House at Breuklyn; M^r Heggemans then Schout.[2]

It is Ordered, That an Acco^t bee given of the Charge of the Building; Whereupon those that are behinde in payment of their proportion shall bee obliged by an Ord^r to [52] make Satisfaction thereof; The Constable & Overseers to receive Ord^r about it.[3] //

About Jan Vigne & Peter Stoutenbergh's Busyness of their Land by the Water-Port, That their Title doe remaine good to y^e Land, & the Ground where the Wall & ffortifications was to bee to remaine at present as it is.//

Huntington Businesse to bee respited, & that also the

[1] Collateral and Illustrative Documents, No. XXXII.

[2] Adrian Heggeman, who resided at Flatbush, succeeded Pieter Tonneman as schout of Brooklyn in 1660. Lovelace commissioned him, on April 15, 1670, as vendue master of the five Dutch towns on Long Island, and he had been " heretofore imployed in that affayre by y^e neighbourhood " where he lived, namely Flatbush. He was authorized " to Expose to publique Sale any Lands houses or goods w^ch are to be sould w^thin y^e Townes aforesaid." He was succeeded as vendue master, on March 17, 1672/3, by Jacques Cortelyou, of New Utrecht.— Brodhead. *Hist. of N. Y.*, vol. 1, p. 580; *Court of Assizes*, vol. 2, p. 508; *General Entries*, vol. 4, pp. 100, 270. For a sketch see Bergen. *Kings County Settlers*, p. 135; Aiken. *The Hegeman Family*, in "Amer. Hist. Mag.," vol. 1 (1906), pp. 170, ff.

[3] Collateral and Illustrative Documents, No. XXXIX. See also on the minister's house in Stiles. *Hist. of the City of Brooklyn*, vol. 1 (1867), pp. 160–161.

Bond bee examined into by Mr Mayor,[1] Mr Nicolls, & M. Bedloo at their goeing downe.[2]

West Indya Company Businesse to bee respited untill farther Ordr.[3]

The Matter considered about Transportacõn of Corne, upon ye Examinacõn of ye Bakers what Corne there is in ye City;

An Order to bee made that noe Wheate in Grayne bee Transported, but in fflowre, Bread, or Bisquett for this ensueing yeare.[4]

About noe Strangrs Sloopes being permitted to goe up ye River to Albany;

That the former Ordr bee revived & stand in fforce.[5]

About ye Lettrs from Southton & Southold excusing or refusing to take out their Patents to bee left to farther Consideration.[6]

[1] Thomas Delavall.

[2] Collateral and Illustrative Documents, No. XXV.

[3] Collateral and Illustrative Documents, No. XL.

[4] Collateral and Illustrative Documents, No. XLI; *Records of New Amsterdam*, vol. 6, p. 287. Notwithstanding this prohibition, passes were issued during April and May, 1671, to certain persons to send their wheat to the mill at Milford, Conn., for convenience of having it sooner ground, "provided the flour and meal be brought back to New York."—*Court of Assizes*, vol. 2, pp. 669, 670, 692. For orders prohibiting transport in 1666 and 1667, and prices of corn or wheat in New York in 1668, see *Orders, Warrants, Letters*, vol. 2, pp. 30, 78, 157, 306, 327.

[5] Collateral and Illustrative Documents, No. XLII.

[6] Collateral and Illustrative Documents, No. XLIII. All the towns of Long Island were required by the law of 1665 to renew and have confirmed all their grants, patents or deeds of purchase. The towns of Southampton, Southold and Oyster Bay resisted and refused to comply with the law. The demand was renewed by an order of the court of assizes in 1666 and, in the mean time, their titles were declared to be "invalid as by Law." But they continued to procrastinate and, in October, 1670, the court of assizes ordered them anew to conform, notwithstanding these towns had "upon some Nicetyes or prtences" hitherto delayed to take out new patents. As late as November, 1674, the people of Southold, in town meeting assembled, unanimously declared their attachment to the colony of Connecticut and desired "to use all good and lawfull meanes so to continue." This pertinacious

[53] At a Councell held at ffort James y^e^ 27^th^ March 1671.

Present

The Governo^r^
M^r^ Mayo^r^
M^r^ Steenwijck
The Secretary.

The Matter under Consideracõn was somewhat from M^r^ Jeremias Van Renslaer,[1] & Cap^t^ Philip Pieters Schuijler of Albany concerning y^e^ Excize[2] & ffortifications there; And some thing from the Commissaryes about Aqueppo[3] the Indyans Death, to cleare which that the Maques had noe hand in it, they gave a Band of Seawant to Cap^t^ Salisbury,[4] to bee sent to his ffriends, hee hath sent it to y^e^ Governo^r^, w^ch^ was produced, It being about 16 Guilders.//

About y^e^ ffortificacõns of y^e^ Towne & Forte they doe not dissent from what was proposed by them & engaged the last Summer.//

About y^e^ Tax for y^e^ Minist^r^[5] &c: & other Offic^rs^ of the

resistance to the authority and jurisdiction of New York determined the court of assizes, in October, 1676, to issue a peremptory order, involving forfeiture of lands.— *N. Y. Colonial MSS.*, vol. 22, pp. 107, 136; *Southold Town Records*, vol. 1, pp. 374–375; *Records of Southampton*, vol. 2, pp. 65–66, 357–358.

[1] Jeremias Van Rensselaer had been commissioned, on September 23, 1670, as "Capt^n^ of a Troope of Horse, listed or to bee listed within the Limitts or precincts of Albany, Renzlaerswijcke Schanecktade & parts adjacent, as a Troope of Volunteers."— *N. Y. Colonial MSS.*, vol. 22, p. 105. See sketch in *Van Rensselaer Bowier Manuscripts*, p. 846.

[2] Collateral and Illustrative Documents, No. XLVI.

[3] Variously spelled, as Aquepo, Aqueppo, Acquipoor, etc.

[4] Sylvester Salisbury.

[5] Gideon Schaats or Schaets was minister of the Dutch congregation at Rensselaerswyck and Albany from 1652 till 1694, when he died. From 1683 he was assisted in his ministry by Godfreidus Dellius.— Cf. O'Callaghan. *Hist. of New Netherland*, vol. 2, pp. 567–568.

Towne, for w^{ch} they are already Indebted over & above what y^{e} Burgers Excize doth yield.

They propose that y^{e} Magistrates alone may have Liberty to sell Strong Drink & Liquo^{rs} to y^{e} Indyans &c: or to have halfe y^{e} Tappers Excize to defr[ay] that Charge.

[54] For y^{e} Engrossing of y^{e} Sale of Strong Liquo^{rs}, Its not thought to bee practicable.//

As to the next Proposall, It's thought fitt to recommend it to the Persons entrusted from the Towne of Albany, to deliver in an Estimate of the Townes Debts for their Officers, what Offic^{rs} there are, & their Salaryes.

As also what their Incomes are by Taxes or otherwise; As Burgers Excize &c:

What y^{e} Tappers Excize is generally ffarm'd at.

The Reason why they desire Reliefe, is That Renslaerswijck did heretofore pay the halfe to the Minist^{r} &c: & now paying 300 Scheples per Annum to y^{e} Governo^{r}, they are excused from that, to [*sic*] what they paid before is wanting.

The Charge yearely of y^{e} Towne of Albany to the Offic^{rs} is

	Beav^{rs}	
To y^{e} Minist^{r} ——	125	— at f 30 y^{e} Beav^{r}
To y^{e} Secreta^{ry} —	600	guild^{rs} Seaw^{t}
To y^{e} Bode ——	300	guild^{rs} Zeaw^{t}
To y^{e} Reader ——	400	guild^{rs} Zeaw^{t}

125 Beav^{rs} f 1300 — Seawant.

At length upon further Proposall &c: It was O[r]dered, That y^{e} Commissaryes at Albany upon [55] the Expiracõn of this yeares Packt of y^{e} Grand Excize, there, shall for y^{e} yeare ensueing w^{ch} is to beginn on y^{e} 10th day of July next have the said Packt or Grand Excize upon the same Terme

as it hath been Lett this yeare, with Liberty alone to sell Liquors or Strong Drink to the Indyans, & that none shall have Licence soe to doe without their Approbacon & Consent. In Consideracon whereof, they are to pay all Officrs belonging to them, & to bee accomptable for ye Overplus to the Governor, the which shall bee employed for the Publick Benefitt of these parts.

To bee accomptable for ye Small Packt likewise.//

This Ordr made about it.

Whereas ye Commissaryes of Albany, Renslaers-Wijck, & Schanechtide have by Capt Jeremias Van Renslaer, & Capt Philip Pieters Schuijler requested mee that they may ffarme ye Tappers Packt or Great Excise, & may alone have Liberty to sell Liquors or Strong Drink to the Indyans,[1] there being great Abuses committed while every one takes that Liberty upon them; the which they propose to Regulate ffor an Encouragement to the said Commissaryes, who have shewed themselves very forward in contributing to the Publick Worke of ffortifying that Towne and ffort, I have by and wth the Advice of my Councell thought fitt to grant their Request, & doe therefore hereby Ordr, That after the Expiration of this prsent yeares [56] Packt or ffarme of ye Great Excize wch will end upon the 10th day of July next, ye Commissaryes for the time being shall for ye yeare ensueing, that is to say, from the 10th day of July 1671 to ye 10th day of July 1672. hold the said Packt upon the same Termes & Condicons as it hath been lett at this yeare, & shall also have Liberty to sell Liquors or Strong Drink to the Indyans, & that none shall have Licence soe to doe without Approbation & Consent of my selfe & them; The

[1] For a letter of Lovelace, dated November 12, 1668, in regard to the excise and selling of liquor to Indians, see *Orders, Warrants, Letters*, vol. 2, p. 281; and for another about the tappers excise, of July 22, 1669, see *ibid*, p. 475.

said Commissaryes paying out of the Burghers Excize, & y^e^ Benefitt accrewing hereby all Publick Offic^rs^, and likewise that they bee accomptable for y^e^ Overplus (if any shall happen to bee) to the Governo^r^, the which shall bee kept in Banck untill it bee disposed for the Publick Benefitt of those parts. Given under my hand at ffort James in New Yorke this 29^th^ day of March 1671.

[57] At a Councell held in the ffort. Apr: 15. 1671.

Pres^t^

The Governo^r^
M^r^ Mayo^r^
M^r^ Steenwijck
The Secretary.

This day a Report was made by M^r^ Mayo^r^ & y^e^ other Commission^rs^ of their Proceedings at the East end of Long Island; y^e^ which was well approved of, soe y^e^ Commission was Cancelled.[1]

The Proceedings Ordered to bee Recorded.

Delaware Busynesse taken into Consideracõn; Cap^t^ Carr being present.[2]

About y^e^ Murd^r^ committed by y^e^ Indyans.[3]

About selling Strong Drink to y^e^ Indyans.

About y^e^ Murderers, they are known, but for the present not thought convenient to prosecute to the utmost.

Cap^t^ Carr relates of y^e^ desire of many ffamilyes to come & settle below New Castle at Apoquimenys [4] & Bombeij's Hooke; [5] To bee considered of.//

[1] Collateral and Illustrative Documents, No. XLIII.

[2] Collateral and Illustrative Documents, No. XXXV.

[3] Compare Collateral and Illustrative Documents, Nos. XXXV and LIV.

[4] Appoquinimink Creek, Delaware. The name has many variations in the early records.

[5] Bombay Hook, Delaware, a corruption from Boomtje's Hook.

The most Eminent amongst them are one Mr Jones,[1] Mr Wharton,[2] Mr Whale.// [3]

A Lettr is Ordered to bee written to treat with some of them about their Settlement.[4]

[58] At a Councell held in ye ffort.
Aprill 26th 1671.

Present

The Governor
Mr Mayor
Mr Steenwijck
The Secretary.

The Mattr under Consideracon is the Busynesse of Staten Island; [5]

The Inhabitants prferr a Peticon by ye hands of Thomas

[1] Robert Jones, whose wife, Elizabeth, obtained a pass, in November, 1671, "to goe to Virginia to her husband in Mr Quidleys Vessell."— *N. Y. Colonial MSS.*, vol. 20, p. 23; *General Entries*, vol. 4, p. 72. For his landholdings in Delaware see *Original Land Titles in Delaware commonly known as the Duke of York Record*, pp. 143, 144, 149, 150.

[2] Captain Walter Wharton. Lovelace appointed him, on June 17, 1671, "Surveyor Genll in Delaware River, that is to say of ye Westerne side of ye said River now under his Royall Highness Governmt & Protection," to "measure or lay out Lands or Lotts of Ground in Delaware River, wch shall at any time be ordered by mee, As also for any private person there under his R: Hs his Protection, who shall employ him." He was also commissioned, on April 9, 1672, a justice of peace at Apoqueminis and places adjacent in Delaware Bay. Wharton died interstate, and is called "of New Castle, in Delaware." Upon the request of his wife, Mary, Captain Edmond Cantwell was appointed administrator, November 10, 1679.— *Court of Assizes*, vol. 2, p. 721; *N. Y. Colonial MSS.*, vol. 20, p. 31; *Collections* of N. Y. Hist. Society, 1892, p. 62.

[3] George Whale, sometimes given as Wale in the records.— *N. Y. Colonial MSS.*, vol. 20, pp. 16, 23. On his Delaware lands see *Original Land Titles in Delaware*, pp. 128, 148, 149.

[4] Collateral and Illustrative Documents, No. XXXV.

[5] Collateral and Illustrative Documents, No. XXXI.

Carle [1] & Nathan Whitmore [2] chosen by y^e^ major part of the Plantation to attend the Governor

The first part of y^e^ Petic̃on discourst of only, but to bee farther Considered.

The second part is granted.

The third to bee left unresolved untill the Surveyor Geñ^all^ [3] bee consulted w^th^, but supposed they may have it.

The 4^th^ to bee considered of w^th^ y^e^ first.

The 5^th^ & last to bee left till To-morrow Morning, when the Surveyor Geñ^all^ is to bee here.

An Ord^r^ writt to him under y^e^ Governors hand, That hee bee here To-morrow, before Noone, & sent by Gideon Marlette.[4]

About y^e^ Election of Commissaryes at Kingston in Esopus.[5]

To bee left till M^r^ Mayors goeing up.//[6]

[59] A Commission to bee drawn for Capt Chambers to bee Justice of y^e^ Peace at the Esopus over the three Townes, not to infringe y^e^ Libertyes or Priveledges of Schout & Commissaryes.// [7]

The keeping of y^e^ Courts at Marbleton and Hurley to bee taken into Consideration also by M^r^ Mayor who is to returne an Acct thereof at his Returne.[8]

[1] Apparently Captain Thomas Carle, of Hempstead, L. I., who died intestate, and whose widow, Sarah, daughter of James Halstead, requested letters of administration, which were granted on March 25, 1676/7.— *Collections* of N. Y. Hist. Society, 1892, pp. 34–35.

[2] He was one of the commissioners appointed by Lovelace, February 16, 1669/70, to treat with the Indians as to purchase of Staten Island lands.— *Court of Assizes*, vol. 2, p. 469.

[3] Jacques Cortelyou.

[4] Gideon Marlett or Marlette was a constable at Staten Island.— *Collections* of N. Y. Hist. Society, 1892, p. 24.

[5] Collateral and Illustrative Documents, No. XLIV.

[6] Thomas Delavall.

[7] Collateral and Illustrative Documents, No. XLIV.

[8] *Ibid.*

At a Councell held in y^e^ Fort
Apr: 27^th^ 1671.

Present

The Governo^r^
M^r^ Mayo^r^
M^r^ Steenwijck
The Secretary.

That 2 Lotts bee continued upon the Hills, one Lott to bee layd out upon the Neck of Land by M^r^ Stillwell,[1] & one by Nathaniell Brittaines.[2]

That a convenient High-way bee left for Drift of Cattle [3] &c: towards y^e^ Bridge, & the Great Kill, the rest to bee Enclosed for the New Lotts to bee added to the Old Towne.

[60] The last Clause to bee more fully Answered when the

[1] Nicholas Stillwell had been commissioned as constable of Staten Island, on September 7, 1667. His son, Richard, was "acquainted w^th^ y^e^ Language & customes of y^e^ Indians" and was appointed president of a commission created by Lovelace, on February 16, 1669/70, to treat with the Indians on Staten Island for its purchase.—*Orders, Warrants, Letters*, vol. 2, p. 186; *Court of Assizes*, vol. 2, p. 469. See personal data in Stilwell, Benjamin M. *Early Memoirs of the Stilwell Family, comprising the Life and Times of Nicholas Stilwell* (New York, 1878); Stillwell, William H. *Notes on the Descendants of Nicholas Stillwell* (New York, 1883); Bergen. *Kings County Settlers*, pp. 277–278; *Collections* of N. Y. Hist. Society, 1892, p. 24.

[2] Nathaniel Brittain, son-in-law of Nicholas Stillwell, whose oldest daughter, Anne, he had married. He was one of the commissioners appointed by Lovelace, February 16, 1669/70, to treat with the Indians for the purchase of Staten Island.— *Court of Assizes*, vol. 2, p. 469. For sketch see Bergen. *Kings County Settlers*, p. 50; *Early Memoirs of the Stilwell Family*, p. 278.

[3] Notice was given by an order of February 24, 1672/3, "that there shall bee a Drift of all Horses & Cattle upon Staten Island," and all persons possessed of any there were desired "to appeare or send some person to the Towne of Dover to take notice of their respective Horses or Cattle to the end they may bee viewed and marked according to the Lawes in such Cases provided."— *General Entries*, vol. 4, p. 264. Dover was the home of Stillwell and Brittain, situate immediately below the Narrows, near the later Fort Tompkins.

Surveyor Genall [1] shall have layd out the utmost Limitts & Bounds of the Towne.

The first Clause is graunted to make up a Supply to the rest of the Towne.[2]

At a Councell held in ye Fort
May 18th 1671.

Present.

The Governor
Mr Mayor
Mr Steenwijck
The Secretary

The first Busyness taken into Consideracon was the Affayres of Esopus; [3] In particular, ye Report of Mr Mayor, about Settlement of Affayres at the New Townes given in Writing.//

It is Ordered, That those Ordrs about ye Townes bee of fforce untill any Inconvenience doe appeare therein, or further Order.

The Commissaryes chosen out of the 4. by Mr Mayor & Capt Lovelace [4] to bee Confirmed.//

Capt Criegers [5] Busynesse about ye Whorekill.[6]

[1] Jacques Cortelyou.

[2] Collateral and Illustrative Documents, No. XXXI.

[3] Collateral and Illustrative Documents, No. XLIV.

[4] Captain Dudley Lovelace, a brother of Governor Lovelace.

[5] Captain Martin Cregier, Creiger, Crieger, Kregier, and otherwise in the records. He had been one of the burgomasters, appointed by Stuyvesant in 1653. In February, 1670, Lovelace appointed him collector of the customs at the Whorekill, an office soon thereafter abolished. He was commissioned captain of a company of foot in New York City, July 13, 1670, and was commissioned to command a third company of foot in New York City, when the military arrangements were made, in February, 1672, for the defense of the city.—Brodhead. *Hist. of N. Y.*, vol. 1, p. 548; vol. 2, pp. 166, 184; *Court of Assizes*, vol. 2, pp. 475, 611; *N. Y. Colonial MSS.*, vol. 22, p. 106; *General Entries*, vol. 4, pp. 105, 128.

[6] Collateral and Illustrative Documents, No. XLV.

The Purchase of y^e^ Whorekill by y^e^ Dutch to bee Recorded.

[61] About y^e^ Mill-Stones there, to bee as they desire.[1]

A Lyst of y^e^ Inhabitants.

A Relation from thence of y^e^ Losse of Jan de Capres Sloope,[2] that the Sloope was cast away, & the Men drowned, not destroyed by the Indyans.

An Examinac̃on made at y^e^ Whore-Kill by Cap^t^ Crieger, and y^e^ Answer upon it.

Together w^th^ 3 Papers brought by Cap^t^ Carr concerning it.

The Relation about Jan De Capres Sloope being taken into Consideration, as it is sett forth in the Papers by Cap^t^ Crieger produc't, In regard of y^e^ Vncertainty of y^e^ manner of that Disaster, & where certainly it befell, whither in these his Royall Highness Dominions or in Maryland. However It is Ordered, that a Letter bee sent to y^e^ Governo^r^ of Mary-Land[3] to know what their Opinion is hereupon; but for some time to suspend the sending it, some persons being expected from thence suddenly who may give farther light herein.

The other Matt^rs^ from y^e^ Whore-Kill well approv'd of.

About Albany Busynesse.

What was done by y^e^ Mayo^r^[4] & Cap^t^ Lovelace[5] with the

[1] *Ibid.*

[2] Collateral and Illustrative Documents, No. XLV. Jan de Kaper, also called in the records John de Caper, the Caper, de Capres, apparently belonged to Maspeth Kills, where he had been ordered by Governor Nicolls, on July 5, 1665, to establish his title to a parcel "of ffly-Land, lying in that Creeke." On a return voyage to New York, in 1665, he was subjected to insolences by some Indians who forcibly searched his sloop. He seems to have carried on a traffic between New York and points as far as Virginia. It was during one of these voyages, in 1670, that his sloop, the "Jonge Prins" or "Prince of Orange," was shipwrecked and plundered in an inlet of Delaware Bay.—*General Entries*, vol. 1, p. 136; *Orders, Warrants, Letters*, vol. 2, pp. 4, 349.

[3] Collateral and Illustrative Documents, No. XLV. Charles Calvert was then governor of Maryland.

[4] Thomas Delavall.

[5] Captain David Lovelace.

Commissaryes, about the late Order of y^e^ Comissaryes farming the Tappers Excize; with their Reasons pro & Con: — [1]

[62] Together w^th^ an Ord^r^ made by y^e^ Commissaryes w^th^ Consent of the Inhabitants, after mature Deliberation, It is Ordered, That what was done by them at that time bee confirmed.//

About y^e^ Nomination of a Lievten^t^ here in the place of Goovert Loockermans,[2] M^r^ Beeckman [3] & Stoffell Hoogelandt [4] proposed.

M^r^ Beeckman to have a Commission.

A Proposall being made of raising a Troope of Horse in this City and Island being made by the Governo^r^, the farther Consideration thereof is respited untill some further time.[5]

That there bee three Persons nominated by the Troope of

[1] Collateral and Illustrative Documents, No. XLVI.

[2] Govert Loockermans, of New York City. He received his certificate of denization, December 19, 1664; owned also a farm at Maspeth Kills; was commissioned by Lovelace, on July 13, 1670, lieutenant of the company of foot, of which Martin Creiger was captain, and died intestate in 1671, leaving an estate which was for a long time unsettled.—*General Entries*, vol. 1, p. 52; *Court of Assizes*, vol. 2, p. 482; *N. Y. Colonial MSS.*, vol. 22, p. 106; *Collections* of N. Y. Hist. Society, 1892, pp. 48, 60, 190, 194, 195, 204, 282. See also personal data and genealogy in *N. Y. Geneal. and Biog. Record*, vol. 8, pp. 13–15; Innes. *New Amsterdam and its People*, pp. 235–249; Bergen. *Kings County Settlers*, p. 189; Dwight, B. W. *History of the Descendants of John Dwight*, vol. 1, p. 207; *Records of New Amsterdam*, vol. 6, p. 299.

[3] William Beeckman. See genealogy in *N. Y. Geneal. and Biog. Record*, vol. 19, pp. 42–43; and a less accurate sketch in Beekman. *History of Part of the Beekman Family*. Babylon, L. I., 1885.

[4] Christoffell or Christopher Hoogelandt, of New York City, who had been appointed an alderman by Governor Nicolls, on August 14, 1668, for one year, being superseded before the expiration of his term on account of the vacancy created by his making a journey to Holland. He married Catharina Creiger, or Cregier, on June 23, 1661.— *Orders, Warrants, Letters*, vol. 2, pp. 227, 430; *Court of Assizes*, vol. 2, p. 409; *Collections* of N. Y. Hist. Society, 1892, p. 142; Bergen. *Kings County Settlers*, p. 145. For a sketch see *History and Genealogy of the Hoagland Family in America*. [New York, 1891], pp. 55–60.

[5] Collateral and Illustrative Documents, No. LXIV.

Horse in the North & West End of Long Island for Capt^n, two for Lieuten^t, & two for Cornett, out of either of which their Names being returned, the Governo^r will Nominate one.[1]

The Petition about y^e Prohibition of Corne to bee taken into Consideration at y^e next Co^rt of Sessions, who are to have Notice of y^e same, & to give their Opinions of the Likelyhood of y^e Plenty or Scarcity of Corne for y^e ensueing yeare; And the Court of Mayo^r & Aldermen in the meane time are to examine how the Stock of Corne in Store is like to hold out this present yeare, & to make Report thereof unto the Governo^r and Councell.//[2]

[63] At a Councell held at ffort James y^e 14^th June 1671.

Present

The Governo^r
M^r Mayo^r
M^r Steenwijck
The Secretary.

The Busynesse under Consideracõn are the Matters at New Castle and the Whore-Kill.[3]

About New Castle, It was Ordered, That noe person in Delaware bee permitted to distill there, but such as give in their Names to the Officers at New Castle, & from them to receive Licences; And that they pay one guilder Seaw^t p Cann for all that they shall distill, w^ch shall goe towards the Reparation of y^e New Block-House or ffort.

About y^e Whore-Kill, It was Ordered That what is past & granted there, bee confirm'd upon the same Conditions as the rest of y^e Land, with this Provisoe, That each Planter

[1] Collateral and Illustrative Documents, No. XLVII.
[2] Collateral and Illustrative Documents, No. XLI.
[3] Collateral and Illustrative Documents, No. XLVIII.

bee Obliged to settle upon the Land, & that each Person bee enjoyned to settle a House in a Towne to bee appointed neare them.

The 12th to bee referred to ye same Consideracon with the distilling.

[64] At a Councell held in ye Fort ye 21th June 1671.

Pres:

The Governor
Mr Steenwijck
The Secretary.

The Matt: first under Consideracon, is the Busynesse of Delaware, about granting Patents there.

Capt Carr declares that Governor Nicolls gave ye Offics Ordr to make Grants of Land to those that would Plant there,[1] which being remitted to ye Governor, hee was pleas'd to give Patents for them.

The Signing of Patents for those Parts concluded on.

An Ordr also relating the Grant to Mr Mills,[2] the wch is to extend only to ye Whorekill Lands, though menconed Parts adjacent, on ye South-side of the Whore Kills.// [3]

[1] The reference is no doubt to the instructions of Governor Nicolls to Sir Robert Carr for taking Delaware Bay and settling people there in 1664.— *General Entries*, vol. 1, p. 58.

[2] James Mills. He sold his house and land at Huntington, L. I., to George Wood, and, as some difficulties arose over the sale, he made a further acknowledgment, on December 30, 1670. He contracted with Charles Glover, of Southold, for a ship to be called "Nathaniell," but Glover was derelict in fulfilling his contract and kept the ship on the stocks for more than a year beyond the time agreed for launching her. Mills brought suit against Glover at the court of assizes, October, 1671. In this year Mills was also involved in litigations with Cornelis Steenwyck.— *Deeds*, vol. 3, pp. 132-133; *General Entries*, vol. 4, pp. 31, 65. *Records of New Amsterdam*, vol. 6, pp. 312, 322, 326, 330–331, 336, 345. On his proposed plantation at the Whorekill see also *Original Land Titles in Delaware commonly known as the Duke of York Record*, pp 25, 47.

[3] Collateral and Illustrative Documents, No. XLIX.

Mr Paine [1] & Mr Terry [2] about Matinicock Busyness.[3]

An Ordr to issue forth, that some of the Matinicock Indyans doe come here on Munday next, particularizing there being formerly an Appointmt, when they came without Notice, & went away without speaking or doeing any [65] thing in their Busyness. An Ordr hereupon to referr to — quære &c: [4]

At a Councell held in ye ffort ye 28th: June 1671.

Present

The Governor
Mr Steenwijck
The Secretary.

The Mattr under Consideracon was the Business of Nantuckett; two Persons being sent from thence hither.[5]

They produce Writings to make good their Clayme & Title in Obedience to an Ordr issued forth last yeare,[6] & tender some Proposalls in Writing, Vpon wch Severall Ordrs were made & Establisht for their Government, which are upon Record.[7]

To referr to which, search ye Booke Indyan Purchases. —— pag: [8]

[1] John Paine.
[2] Thomas Terry.
[3] Collateral and Illustrative Documents, No. L.
[4] *Ibid.*
[5] They were Tristram Coffin and Thomas Macy.
[6] Collateral and Illustrative Documents, No. XVIII.
[7] *Ibid.*
[8] *Ibid.*

At a Councell &c: June 29th 1671.

Before-noone.

Prest

The Governor
Mr Steenwijck
The Secretary.

Mr Coffin [1] is by Consent nominated ye Chiefe Magistrate at Nantuckett from ye Date hereof untill ye 23d day of November, which shall bee in the year of our Lord 1672. & accordingly had his Commission.[2]

[66] After-noone.

Thursday June 29th 1671.

Present

The Governor
Mr Steenwijck
The Aldermen.
The Commrs &c:
Mr Tho: Lovelace
Mr Van Ruijven.
Capt Manning

The Difference between ye Lutherans was heard.[3]

[1] Tristram Coffin. For his biography and descendants see Coffin, Allen. *The Coffin Family. Life of Tristram Coffin, of Nantucket, Mass., founder of the Family Line in America.* Nantucket, 1881. Coffin was succeeded as chief magistrate of Nantucket and Tuckanucket by Richard Gardner, on April 15, 1673.— *Deeds*, vol. 3, p. 87.

[2] Collateral and Illustrative Documents, No. XVIII.

[3] Collateral and Illustrative Documents, No. LI. Rev. Jacobus Fabricius, or Fabritius, came over from Germany and received permission to exercise his ecclesiastical office in an orderly manner. He first ministered to the Lutherans of Albany, being the first pastor of that denomination there, but was suspended by Governor Lovelace, on May 28, 1668, on account of his controversies with the magistrates and the Dutch congregation, with whom he would not be reconciled, even through the mediation of friends. On February 20, 1668/9, Lovelace granted him permission to be pastor of the Lutheran

It was occasioned by a Peticon from Willem Hendricks [1] Baker & others against ye Magistr

The Proceedings of ye Commissionrs were first read, grounded upon a Petition prsented by the Magister to ye Governour, who appointed Commissioners.

There was an Attestacon read of Jacob Youngs, wherein hee declares that the Hamburgher & the Hatter refused to Obey ye Commission.

congregation in New York City, provided he gave "no trouble or molestation to othrs differing in Judgmt from him," and on the 27th of that month his oath of allegiance was certified. Before long he got into a quarrel with his New York congregation over the building of their church, which is the case referred to in the council minutes. On April 13, 1670, he was given a pass to go to Newcastle, Del., accompanied by his wife, Annetje Cornelis, the widow of Lucas Dircks van Bergh, to look after a suit over a house and lot at Newcastle, which had been sold by his wife's former husband to Reynier van Eyst. His breach with the New York congregation led to his removal to Delaware, where he preached in Newcastle and Wicaca, and also got into trouble. For performing a marriage cermony in New York, irregularly and without authority, in 1674, he was suspended from the ministry for one year. His fractious temper led to an estrangement with his wife, who complained of his cruelties to the court of schout, burgomasters and schepens of New Orange (New York City), on February 24, 1674, averring that she was suffering from the quartan-ague, "having been obliged the whole winter to sleep in the garret under the roof of the house, which truly is a very hard thing to happen to an old woman and all this for a drunken and constant prophaner of God's name, a ci-devant Lutheran preacher, named, as he says Jacobus Fabritius, her married but unfaithful husband, who has driven her out [of] her own house and chamber, which she intended for her son" by her former marriage. On June 8th she was granted a separation, but on July 11th Fabricius came by force into his wife's house, carrying a chest, and got into a quarrel with the schout, resisted the soldiers and raised a general rumpus when an attempt was made to remove him from the premises. He was fined heavily; ordered to remain away from his wife, and to ask the pardon of the court "for the insults and injuries committed against it at divers times, although he deserved to be more severely punished."— *Orders, Warrants, Letters*, vol. 2, pp. 335, 342, 394, 423; *Court of Assizes*, vol. 2, pp. 424, 501-504; *General Entries*, vol 1, p. 71; *Records of New Amsterdam*, vol. 7, pp. 60, 94, 107; Brodhead. *Hist. of N. Y.*, vol. 2, pp. 159, 174, 255; *Memoirs* of Hist. Soc. of Penn., vol. 7 (1860), p. 191; *New York Colonial Documents*, vol. 2, pp. 693, 706.

[1] His name was Hendrick Willemsen, a baker by trade, and hence often called "Hendrick the Baker."

The Note of Subscriptions for y^e^ paym^t^ of the House for their Church is produced.

The Magist^r^ putts in an Answer to y^e^ Peticon against him.

It's the Governo^rs^ Opinion, That those that have Subscribed to y^e^ Payment for y^e^ Church-House, should pay their Proportions, & likewise that they pay his Salary to y^e^ time of their Dissenting, or soe many as doe dissent.//

It's Ordered that the Complainants have time to make good their Charge, & the Magister to make his Answer till Thursday next Afternoone, when they are to give their Attendance.//

[67] At a Councell held at ffort James July 6^th^ 1671.

Present

The Governo^r^
M^r^ Steenwijck
M^r^ Secretary

The Businesse under Consideracon was M^r^ Mayhews Affayre about Martins Vineyard &c:[1]

His Peticon & Proposalls read.

To y^e^ first part of y^e^ Peticon, It's granted that the Townes Seated there shall have Patents of Confirmation as other Townes, & particularly as their Neighbo^rs^ of Nantuckett have.

Quære. To y^e^ next part to know what Land hee hath purchased, & of whom, & how it doth appeare, & what remaines unpurchased.

Noe-Mans Land already disposed of, but to bee enquired into.[2]

[1] Collateral and Illustrative Documents, No. XVIII.

[2] Collateral and Illustrative Documents, No. LII. The Isle of Man *alias* No Mans Land, located southwest of Martha's Vineyard. It was first granted, August 3, 1666, to William Reeves, Tristram Dodge, John Williams, and William Nightingale, but the stipulations in the grant having been forfeited,

Three Papers to bee Recorded,[1] viz.t y.e two from James fforrett,[2] (y.e L.d Sterlings[3] Agent) & one from Richard Vines S.r fferdinando Gorges Agent.

M.r Mayhew[4] to bring in To morrow Morning what hee hath bought at Martins Vineyard, for which hee is to have a Patent.[5]

The Clause of Priveledges to bee invested in y.e Patent.

[68] At a Councell &c:
July 7.th 1671.

About M.r Mayhews Proposalls[6] concerning y.e Governm.t

That for ending of Causes to y.e Sum̃e of 5.ti It is granted that M.r Mayhew (who for his Lifetime is to bee Governo.r there) w.th two Assistants to bee chosen by y.e two Townes, shall hold a Court, where one Agreeing with y.e Governo.r shall carry the Case; but in case of Non-Agreem.t to bee referred to their Generall Court; which is to consist as in their Instructions to Nantuckett.

The Sum̃e Definitive at y.e Geñ.all Court is to bee for 50.ti for this yeare.//

The Co.rt is first to bee held at Martins Vineyard.//

M.r Mayhew is to bee Governo.r over y.e Indians upon Martins Vineyard.

The Acknowledgm.t by Quit-Rent for both the Townes & himselfe to bee Agreed upon.//

the grant was renewed to John Williams and others, on June 23, 1670, and February 23, 1674. In these patents it was called the Isle of Wight.—Hough. *Nantuckct Papers*, p. 32 (note).

[1] Collateral and Illustrative Documents, No. XVIII.

[2] James Forret, Gent.

[3] William Alexander, Earl of Stirling.

[4] Thomas Mayhew, Sr.

[5] Collateral and Illustrative Documents, No. XVIII. See also Hine. *The Story of Martha's Vineyard.* New York, [1908], p. 6.

[6] Collateral and Illustrative Documents, No. XVIII.

Hee is to have Liberty to purchase for his Royall Highnesse, & to make Returne thereof.

The Ordrs hereupon are drawn up at large, & Entred in the Booke of Indyans-Purchase.[1]

[69] At a Councell July ye 8th 1671.

Mr Mayhews & Mr Brentons [2] Pretences upon Elizabeth Islands [3] discourst of.

Memorandm That three Men besides Mr Mayhew bee chosen for a Court upon Martins Vineyard, & hee to have a double Vote as President.//

Mr Mayhew Senr [4] acknowledges to have sold his Pretences, but the Grand childe [5] putts in his Clayme for his part as his ffathers Right.

Daniel Wilcocks Clayme brought in by Young Mr Mayhew to bee Recorded.[6]

The whole Right to ye two Islands is found to bee in Mr Brenton, both by ye Indyan Purchase & the Sale of Mr Mayhew Senr; But its recommended to him to give some Compensation to the Grand Childe for his Consent to his ffathers Right.[7]

[1] Collateral and Illustrative Documents, No. XVIII.

[2] Evidently William Brenton, who was governor of Rhode Island from 1666–1669. See Austin. *R. I. Geneal. Dict.*, pp. 252–254.

[3] Collateral and Illustrative Documents, No. XVIII; also *Deeds*, vol. 3, pp. 44–49.

[4] Thomas Mayhew, Sr.

[5] Matthew Mayhew, son of Rev. Thomas Mayhew, Jr., deceased.

[6] Daniel Wilcock. For the record see Collateral and Illustrative Documents, No. XVIII.

[7] For other business in council of this date, not however entered in these minutes, see Collateral and Illustrative Documents, No. LIII.

[70] At a Councell. July 12th 1671.

Prest

The Governor
Mr Steenwijck
The Secretary.

Vpon Consideracõn had of Mr Mayhews Quit Rents.

It is Agreed to bee 6 Barrells of ffish, vizt two Barrells each Patent.

About Claes Burden &c: That ye former Ordr against Transportation of Wheat &c: bee as yet continued, vizt That none bee Transported but in ffloure and Bread.[1]

A Peticõn from Govert Loockermans wife about Capt Mannings[2] Purchase.

It is Ordered, That the Weesmasters have Liberty to take out Letters of Administration for the Dutch Estate, according to ye Articles of Surrender.

Huntington Lettr of Excuse for not giving their Attendance according to Order, read wth two Testimonyes.[3]

Mr Smith[4] wth Mr Rider[5] give their Attendance.

Deferr'd till after Dinner.

An Ordr to Record Mr Smiths Attendance, & Huntington's Default.[6]

[71] At a Councell. July 13th 1671.

Present

The Governor
Mr Steenwick
The Secretary

[1] Collateral and Illustrative Documents, No. XLI.
[2] Captain John Manning.
[3] Collateral and Illustrative Documents, No. XXV.
[4] Richard Smith.
[5] John Rider, attorney.
[6] Collateral and Illustrative Documents, No. XXV.

Mr Gildersleeve & Capt Seamans are employed by the Towne of Hempstead [1] to make Invalid Mr Terryes Grant,[2] & to make their Clayme to Matinicock Land.

It's by ye Governor recommended to them & Mr Terry to endeavour a Composure. Whereupon they came to a Conclusion which was Recorded.[3]

At a Councell held at Fort James. Sept: 25. 1671.

Pres[t]

The Governor
Mr Mayor
Mr Steenwijck
The Secretary.
} of New Yorke

Governor Philip Carterett
Capt James Carterett.
} of New Jersey.

The Occasion of ye p[r]sent Meeting is the Lett[r] brought from Mr Toms [4] by Peter Alricks about the Murder of [72] two Christians (Dutch Men) killd by some Indyans at the Island Matiniconck in Delaware River.[5]

[1] Richard Gildersleeve and Captain John Seaman, who by vote of the town of Hempstead, July 3, 1671, were sent to New York to "treat with the Governour about the Eastern bounds of this Towne" and, in their discretion, "to Joyn with Mr Terry, according to the conditions that were last made between the said Mr Terry and ye Towne."— *Hempstead Town Records*, vol. 1 (Jamaica, 1896), p. 278.

[2] On the grant of land at Matinicock to Thomas Terry by the town of Hempstead, see *Hempstead Town Records*, vol. 1, pp. 143–145.

[3] Collateral and Illustrative Documents, No. L.

[4] William Tom.

[5] Collateral and Illustrative Documents, No. LIV. Matiniconck, now Burlington Island, in Delaware River. It had been "formerly knowne by the name of Kipps Island and by the Indian name of Koomenakimokonck Containing about a Myle in Length and half a Myle in breadth." This island was leased by Lovelace, on September 10, 1668, to Peter Alrichs or Alricks for three years. It had been in the tenure and possession of Sir

Peter Alricks [1] being p^r^sent relates to y^e^ Truth of the Murder, upon w^ch^ hee is examined; Hee saith, the whole Nation of the Indyans of whom these Murderers are, consists of about 50 or 60 Persons. All the Mischiefes committed in Delaware these 7 yeares by Murder and otherwise, are said to bee done by them.

The Indyans their Confederates (as it's supposed they will bee if a Warr follow) with this Nation of the Murderers, may bee about a thousand persons besides Women & Children. —

The Names of the two Murderers, are Tashiowijcam & Wywannattamo.// [2]

Peter Alricks declares, That two of y^e^ Saggamores of the Nation of the Murderers, promis'd their best Assistance to bring in the Murderers, or to procure them to bee knockt it'h [*sic*] Head, if it might bee allowed by the Governo^r^

Many other Indyans that hee mett upon the Road did very much disallow y^e^ Murd^r^ & were very sorry for it, & offered their Assistance against them likewise, only the Difficulty was, that there were seaven of these Indyans, Men of the same Stock, that if the two should bee seized, the other five would seek to bee Revenged; Soe it was unsafe.

Robert Carr, Knt., whose buildings and stock thereon were included in this lease, and it was also called "Matinicom als Carr's Island." Lovelace, on December 15, 1668, ordered the immediate surrender of the leasehold to Alricks.— *N. Y. Colonial MSS.*, vol. 20, p. 2; *Orders, Warrants, Letters*, vol. 2, pp. 259, 316; *Original Land Titles in Delaware*, p. 125. See also "Some Notes on Matinneconk or Burlington Island," by William Nelson, in *Penn. Magazine of Hist. and Biog.*, vol. X (1886), pp. 214–216; *Memoirs* of Hist. Soc. of Penn., vol. 7 (1860), pp. 140–141.

[1] For a sketch of him see *N. Y. Geneal. and Biog. Record*, vol. 24, pp. 125–132.

[2] They dwelt "at Suscunck" four miles to the eastward of Matiniconck Island.— Lovelace to Carteret, September 20, 1671, in Collateral and Illustrative Documents, No LIV.

[73] Diverse other Discourses between him & the Indyans hee related as to this Matter.//

The Proposall to have y^e^ Murderers destroy'd was to cause a Kinticoy [1] to bee held, & in the midst of their Mirth, That then one should bee hired to knock them i'the head. This by the Sachem.

Peter Alricks saith, The proper time to sett upon this Nation of the Murderers is within a Month from this time, for after that they'l breake off their keeping together in a Towne, & goe a hunting, soe bee separated & not to bee found, but now the danger is of their destroying the Corne and Cattle of the Christians.

The Occasion of y^e^ Murther is said to bee that Tashiowijcans Sister dyeing, hee exprest great Griefe for it, & said— — The Manetto [2] hath killd my Sister, & I will goe & kill the Christians; soe taking another with him hee went & executed this Barbarous ffact.

The next Meeting Agreed to bee at Elizabeth Towne.[3]

[74] At a Councell held in the Fort [4]
Octob: 25^th^ 1671.

Present

The Governo^r^
M^r^ Steenwijck
The Secretary.

[1] Cantico, and many other variants, derived from a word of the Delaware dialect of Algonquian, namely, *gintkaan*, signifying "to dance," with different applications. In the above minutes it represents a jollification.—*Handbook of American Indians*, part 1, p. 202.

[2] On the signification of "Manito" see *Handbook of American Indians*, part 1, p. 800.

[3] For this meeting see under November 7, 1671.

[4] Fort James.

That a Commission bee drawn for y^e^ Mayo^r^ & Aldermen to make Enquiry concerning that great Disorder of a High Misdemeanour & Gen^all^ Breach of y^e^ peace, as also the Disobedience to the Governo^rs^ Order & Authority under his Royall Highness, on Saturday last (being y^e^ 21^th^ day of this Month) by George Spurre, Humphry Davenport, & their Complices, in goeing on board the Ship Expectation, Isaack Melijen[1] Command^r^ riding at Anchor in this Port, under p^r^tence of a Seizure of the said Ship for his M^tie^[2]

To heare & Determine likewise,

Examine upon Oath &c:

The Co^rt^ to sitt To-morrow, at 2 of the Clock Afternoone; Cap^t^ Manning[3] & M^r^ Dervall[4] to bee Added to the Bench; And to bee dissolved upon y^e^ Determination of the Cause.

This as to y^e^ Publick.

To any Damage done to M^r^ Melijen, to bee left to a Composure between them, or a Determination by the Law.

[75] At a Councell held y^e^ 30^th^ day of Octob: 1671.

Present

The Governo^r^
M^r^ Steenwijck
The Secretary.

[1] Isaac Melyn, son of Cornelis and Jannetje Melyn. He was granted letters of denization "anew" to be "a ffree Denizen of this Place & Province," on January 13, 1671/2, or a few days before the ship "Expectation" had been cleared and adjudged to be a free ship by a special court of oyer and terminer.— *General Entries*, vol. 4, pp. 86, 93. In an examination before the mayor's court, October 24, 1671, Spurre, as commander, appears as James Sparr and Spragg. Another of his accomplices in the seizure was Henry Randel.— *Records of New Amsterdam*, vol. 6, pp. 339–340.

[2] Collateral and Illustrative Documents, No. LV.

[3] Captain John Manning.

[4] William Darvall.

The Matter under Consideracon is the Purchase of the Land of y^e^ Wickerscreek Indyans,[1] offered to Sale.

Part of it was purchased in y^e^ yeare 1649. as appeares upon Record.

Showan Orocketts Brother, & other Indyans present being demanded what they came for, they replyed they come to sell their Land to the Governo^r^ They were offered a Price & could sell it to others, but would not, having more a Desire that the Governo^r^ should have it or the Refusall; It was told them none could buy it without the Governo^rs^ Licence.

Then they went by chalking it out to shew their Bounds, & what was sold, w^ch^ they describe by a small Stroake alongst the East River.

The Names of those that pretend to bee y^e^ Owners — — Ramacq^s^, Tapongeere, Nepahnickan, Inquus, Nenemarek, Amanung, Wyrandis, Chemus, Sessepok.

They would reserve a piece of Land for themselves.

It was a[s]kt them how farr it was from Monussing[2] [76] to Harlem Riv^r^, And from John Richardsons[3] Crosse over to Wijckerscreeke, They answer it is a good halfe dayes Journey, about 6 hours or 18 Miles in breadth. In length as before, They say It is a good dayes Journey.

[1] See Bolton. *Hist. of County of Westchester* (1881 edition), vol. 2, pp. 258–270, 506 (note b), 507.

[2] Manussing, or Mennewies, an island, in the town of Rye, Westchester County, about a mile in length, lying east of Poningoe Neck and separated from it only by a narrow channel. See Bolton. *Hist. of the County of Westchester* (1881 edition), vol. 2, pp. 130–131, 161.

[3] John Richardson was one of the two original patentees of West Farms, now included in Bronx Borough, New York City. For an account of him and his land tenure, see Bolton, vol. 2, pp. 433–439, and compare for discrepancies with his will in *Collections* of N. Y Hist. Society, 1892, pp. 64–65; for the purchase from the Indians by him and Edward Jessop, March 12, 1663, 4, see *Deeds*, vol. 2, pp. 79–80. His widow, Martha, was married to Thomas Williams, mariner, of Westchester.— Pelletreau. *Early Wills of Westchester County*, p. 394.

It is 3 dayes Journey about in Circumference. It being askt, Now they are beaten off by the Maques, how they can make a good Title thereunto if it were sold? They say the Maques will not say they have any pretence to their Land, though being at Warre they would destroy their Persons, & take away their Beavers & Goods.[1]

It was demanded what Meadow or Valley did belong to their Land, They say there is a great deale of Meadow within the Land.

They are bid to consider of what price they will Ask for their Land, & give an Answr about two a Clock, Afternoone.

The Accot they returne of their Price is —

300 fathom Wampm
30 — Match-Coats
10 — Blancketts
5 — Cleat Cloths of Duzzines
30 — Kettles
30 — Gunns
20 — Skirts
20 — paire Stockings
30 — Hatchetts
30 — Chipping Axes
50 — Knives
30 — Barrs of Lead
½ — a Barrel of Powder
2 — ½ ffatts of Beer
1 Anchor of Rumm
3 Howe's [2]

[1] In a primitive and religious sense, the Indian "conceived of the earth as mother, and as mother she provided for her children," hence the land "was not regarded as property," but, like the air, was necessary to life and "not to be appropriated by an individual or group of individuals to the permanent exclusion of others." Occupancy for planting came in time to establish "a claim or right to possess the tract from which a tribe or an individual derived food. This occupancy was the only land tenure recognized by the Indian; he never of himself reached the conception of land as merchantable, this view having been forced on his acceptance through his relations with the white race." — *Handbook of American Indians*, part 1, p. 756.

[2] Hoes.

[77] At a Councell held by Mutuall Agreement at Elizabeth Towne in New Jersey by y^e^ Governo^r^ of his Royall Highness Territoryes, & y^e^ Governo^r^ under the Lords Propri=etors of the Province of New Jersey y^e^ 7^th^ day of Novembe^r^ in y^e^ 23^th^ yeare of his Mã^ties^ Reigne, Annoq̃ Domini 1671.

Pres^t^—

Governo^r^ Lovelace
Gov: Carterett [1]
M^r^ Steenwijck
M^r^ Tho: Lovelace
Cap^t^ Berry [2]
M^r^ De La- Praire [3]
M^r^ Pardon [4]
M^r^ Nicolls.

Vpon serious & mature Consideration of what hath been returned by the Officers of Delaware in Answer to the late Ord^rs^ sent thither, concerning the Barbarous Murder committed by some Indyans on the East side of that River upon

[1] Captain Philip Carteret, of New Jersey. For family history see Baetjer. *Carteret and Bryant Genealogy.* New York, 1887, pp. 3–5.

[2] Captain John Berry, deputy governor of New Jersey, who had come to East New Jersey from Barbados, in 1669. For a sketch of him and his family see *N. Y. Geneal. and Biog. Record*, vol. 15, pp. 49–57.

[3] Robert Vanquellin, Sieur de la Prairie, a native of Caen, in Lower Normandy, France, who came over with Governor Philip Carteret in 1665, having been appointed by the proprietors, Berkeley and Carteret, as surveyor general of their domain in America. See sketch in Hatfield. *Hist. of Elizabeth, N. J.*, pp. 97–99.

[4] William Pardon, of Elizabeth, N. J., member of Carteret's council, deputy secretary, and later receiver general (1674) and justice of peace (1676).—*N. J. Archives*, vol. 21, pp. 1, 8, 22, 33, 34, 37, 39, 42, 43, 59. For sketch see Hatfield. *Hist. of Elizabeth, N. J.*, p. 170.

two Christians at Matiniconck Island,[1] It is resolved & Concluded upon as followes.

Imp^ris —That this p^rsent Season of y^e yeare is not a fitting time to Commence a Warr w^th y^e Indyans who shall take part with the Murderers, as well for the Reasons given in Writing from y^e Offic^rs at Delaware, as for other Causes debated in Councell; soe that the p^rsent intended Expedition thither is deferrd untill a more convenient Opportunity.

That in the meane-time all Endeavo^rs bee used O[f] persons in Authority in Delaware to [78] have the Murdero^rs brought in either dead or alive; ffor the accomplishing whereof, if any Reward shall bee proposed or promised by the said Offic^rs for the bringing them in, the same shall bee punctually made good. And for that it may soe happen that the Malefacto^rs by some Stratagem or otherwise may bee taken alive, a Commission shall fortwith bee granted by his Royall Highness Governo^r, & here w^th sent empowering & Authorizing the Offic^rs & Magistrates who shall therein bee named to bring them to condigne Punishment by putting y^e said Murderers to Death in the most Publick & shamefull manner that may bee, soe to strike a terrour & Consternation in the rest of y^e Indyans who shall see or heare of the same.

3. Whereas some Resolutions & Ord^rs have been lately made at Delaware of their Intentions to retire into Townes for their better safety & Security against the Indyans in case of a Warr, y^e said Resolutions are very well approved of; And it is Ordred, That at their best & soonest Convenience they bee putt in Execuc̃on accordingly.[2]

4. The like Resoluc̃on proposed as to Matinicock,[3] & It

[1] Collateral and Illustrative Documents, No. LIV.
[2] Collateral and Illustrative Documents, Nos. XXXV and XLVIII.
[3] Matiniconck Island.

being a ffrontire Place, it is also allowed and approved of; & shall bee done at the first Convenient time & Season.

5. It is also Ordred, That the Inhabitants at New Castle & parts adjacent upon Delaware River [79] bee digested into severall Companyes as y^e^ Townes & number of Men will permitt; & upon returne of the Names of the Officers that shall bee chosen amongst them to have the Command of such Companyes they shall have Commissions for their respective Employments under his M̃^ties^ Obedience. In the meane time those Officers that shall bee chosen, are to Act & proceed w^th^ allowance till they bee confirmed.

6. That every Person that can beare Armes from 16 to 60 years of Age, bee allwayes provided with a convenient proportion of Powder & Bullett fitt for Service, and their mutuall Defence, upon a penalty for their neglect herein to bee imposed by the Commission Officers in Command according to Law.//

7. That y^e^ quantity or proportion of Powder & Shott to bee adjudged competent for each person bee at least one pound of Powd^r^, & two pound of Bullett. And if the Inhabitants in the River shall not bee found sufficiently provided w^th^ for Armes, his Royall Highness Governo^r^ is willing to furnish them out of the Magazine or Stores, they being accomptable & paying for what they shall receive to the Governour or his Order.

8. That the Places where the Towne-ships upon y^e^ River shall bee kept bee appointed & Agreed upon by the Schout, Commissaryes, & the rest [80] of y^e^ Offic^rs^ according to their Proposall sent, as also where the Block-Houses, & Places of Defence shall bee erected as well in the Towne as in the River.

9. That all former Prohibitions of selling Powder & Ammunition to the Indyans under what penalty soever bee

suspended, or left to the discretion of the Officers as they shall see Occasion untill further Order.

10. That noe Corne or Provision bee transported out of Delaware, unlesse that which is already on board, or intended to bee shipt in y^e^ Sloope [1] of Thomas Lewis (now in that River) for y^e^ w^ch^ hee shall have a Speciall Licence or Permitt, untill further Order.[2]

11. That y^e^ Offic^rs^ & Magistrates at Delaware bee hereby Empowered & Authorized to treat with the Neighbour Indyans of the Susquehanos or others to joyne together against y^e^ Murderers & such as shall harbour them or take their part, if Occasion shall require, & to promise them such Reward as they shall think fitt. Provided it bee done with great Privacy & Caution, soe that noe sudden Jealousy bee given to the Persons intended to bee prosecuted or their Confederates.

12. And Lastly that the afore-recited Officers & Magistrates upon all emergent Occasions doe take Care by all Means that shall present [81] as well as by Expresses to give an Acco^t^ hither of what from time to time shall happen there in relation to this matter, w^ch^ said Expresses & Messengers shall bee well & duely satisfyed for their paines and trouble.

At a Councell held &c:
Decemb̃: 5^th^ 1671.

Pres^t^
The Governo^r^
M^r^ Delavall
M^r^ Steenwijck
The Secretar̃.

[1] Thomas Lewis was master of the sloop "the Royall Oak." She also plied between New York and Boston.— *General Entries*, vol. 4, p. 139 (June, 1672)

[2] Collateral and Illustrative Documents, No. LVI.

Cap[t] Salisburyes [1] Peticon first discoust [*sic*] of, & suspended untill next Meeting, when ffredrick Gijsbert & M[r] Sharpe [2] are to have Notice to give their Attendance.[3]

D[r] Samuel Drisius [4] his Peticon about his Salary as Minist[r] being taken into Consideration, It is thought fitt in lieu of all his p[r]tences of Salary, & for y[e] two yeares since hee received any, w[ch] will bee compleated in the Month of January next, that there shall bee allowed him the Summe of one hundred pounds, w[ch] the Governo[r] will pay, as for one entire yeares Service; the other yeare or the greatest part thereof, hee being soe distempered [82] as that hee was incapable of performing y[e] Ministeriall ffunction.

However if that bee not thought sufficient It is recommended to y[e] Elders & Deacons of the Church to make him some farther Compensacon.// [5]

Vpon w[ch] an Ord[r] — as followeth.

D[no] Drisius. Vpon y[e] Peticon of D[no] Samuel Drisius, That his Salary might bee made good to him as formerly, hee being in Arreare for neare two whole yeares to bee compleated in y[e] beginning of the Month of January next, The Governo[r] & Councell having seriously taken y[e] p[r]misses into Consideracon, & withall being very sensible that the said Domine for at least one halfe of the time was by Gods Visitation soe

[1] Captain Sylvester Salisbury.

[2] Fredrick Gijsbertsen and John Sharpe.

[3] Collateral and Illustrative Documents, No. XXXVIII.

[4] Rev. Samuel Drisius, who could preach in Dutch, English and French, had come to New Amsterdam in 1652 and continued under Dutch and English rule, dying in the city, April 18, 1673. Latterly, he suffered from "weaknesse" and "a failure of memory," incapacitating him in his ministry. In 1671, Aegidius Luyck, teacher of the grammar school, assisted Drisius in his ministrations.— Corwin. *Manual of the Ref. Church in America*, fourth edition, pp. 433–435; *Ecclesiastical Records of N. Y.*, vol. 1, pp. 612, 617, 623. On the salary arrears, etc., see also *Records of New Amsterdam*, vol. 6, pp. 101, 174, 240–241, 292, 300, 365, 396; *General Entries*, vol. 4, p. 47.

[5] Collateral and Illustrative Documents, No. LVII.

distempered, that hee was render'd incapable of exercizing the Ministeriall ffunction, for the which hee was to receive his Salary, They doe think it reasonable that hee shall bee allowed the Salary of one yeare only in lieu of all pretences for the time past, the w^ch^ his Hon^r^ y^e^ Governo^r^ on behalfe of his Royall Highnesse is well content forthw^th^ to cause to bee paid unto him or his Ord^r^, without laying Imposic̃on on y^e^ Towne for any part thereof; However if that shall not bee thought sufficient, It is recommended to the Elders & Deacons of the Church to make [83] him such further Compensation as by them shall bee judged meet, and for the time to come doe Order that his Salary goe on as heretofore.

By Ord^r^ &c:

A Petic̃on preferrd from Coenraat ten Eijck[1] & Boel Roeloffs,[2] about their Trust for an Orphans Estate,[3] w^ch^ was

Coenraat ten Eijck.

[1] Coenraet ten Eijck or Ten Eyck was a shoemaker and tanner of New York City. For his will see *Collections* of N. Y. Hist. Society, 1892, p. 143; and for family history see Talcott. *Genealogical Notes of New York and New England Families*, p. 228.

[2] Boele Roeloffsen.

[3] The case is that of Victor Bicker, an orphan and surviving minor child of Gerrit Bicker and Aeltie Lubbertse. After his father's death, his mother was married to Nicholaes Velthuijsen, widower of Janneke Willems. In 1664, when Victor Bicker was eleven years of age, his mother also died, leaving an estate for his support, over which Ten Eyck and Roeloffsen were appointed guardians. In this capacity they invested two thousand florin, seawant, as a loan on interest to the city government of New Amsterdam. The English capture of New Netherland and confiscation of the property of the West India Company affected not only the payment of the interest on the loan, but tied up the principal itself. On October 9, 1666, the guardians petitioned the mayor's court of New York City for the payment of the interest that had accrued since 1664 and " that hereafter the accrued interest of the aforesaid capital may be promptly paid on the day due, until the s^d^ City shall have discharged aforesaid capital." Moreover, they declared there were no other means for the boy's support. The court requested them " to wait yet a little while longer," until the effects of the West India Company were sold. On June 23, 1668, and March 2, 1668/9, the guardians requested the court to pay both principal and interest. Meanwhile, Victor Bicker passed out of his schooldays and was apprenticed to Johannes Harberding,

lent heretofore to the Burgo-Mast^{rs}, & promis'd to bee repaid &c:— being taken into Consideration, this following Order was made thereupon.

The Peticon of Coenraat ten Eijck & Boel Roeloffs being taken into Consideracon, wherein they sett forth, That being Trustees for an Orphans Estate, part thereof was heretofore lent to the Burge-Mast^{rs} for the use of the Towne, but the alteracon of Governm^{t} happ'ning they cannot gett the same repaid, soe that they having engag'd to give a certaine Sume of Money for the use of the Orphan to binde him out Apprentice, they are condemned to pay the same out of their own Purses, w^{ch} proves a great p^{r}judice & Detriment unto them; The Premisses being a Busyness of Consequence, wherein diverse persons are in like manner concern'd with the Peticoners, both as to the Debts of the West India Company & the Towne, many laying Clayme

a shoemaker, who taught the lad his trade, under a contract with the guardians for the sum of 150 florin, seawant. Harberding brought suit against the guardians at the mayor's court, on February 7, 1670/1, for payment of the apprentice money and fifty guilders more which he had disbursed for the lad's necessities. The guardians acknowledged the debt but pleaded that the estate could not pay unless the city liquidated its debt and returned the principal, or at least paid Harberding's claim on account. Singularly enough, "Uppon hearing the debates of both Parties the Worshipp^{ll} Court did decree and order that the def^{ts} [Ten Eyck and Roeloffsen] should pay [out of their own funds] the s^{d} debt to the Pl^{t} [Harberding] within the space of three Months, and that the s^{d} boy shall worke it out till the Def^{ts} be repaid, and Concerning the def^{s} further desire the Court do referre them to his honn^{r} the Gov^{r} unto whom it properly doth belong." Accordingly, as the council minutes show, they preferred a petition to Governor Lovelace. However, the principal continued unpaid and, meanwhile, the province was retaken by the Dutch. On June 26, 1674, the guardians requested the court of schout, burgomasters and schepens for payment of the two thousand florin, seawant, "lent in the year 1664 to the City on interest, according to the bond signed by the Burgomaster etz. Whereupon the W. Court answered them, that they shall speak to the Governo^{r} [Colve] to make the matter as sure as possible for the advantage of the Orphans" [*sic*].— *Records of New Amsterdam*, vol. 6, pp. 38–39, 138, 170, 282, 284, 288; vol. 7, p. 104; *N. Y. Colonial MSS.*, vol. 22, p. 6; *Minutes of the Orphan Masters of New Amsterdam*, vol. 1, p. 95.

to have Moneys due unto them [84] & others detayning Publick Moneys in their hands, w^ch^ probably might bee sufficient to make Satisfaction for all just Dues; To y^e^ end a right Vnderstanding may bee had hereupon, the Governo^r^ & Councell have thought fitt to Order that Commission^rs^ shall in some short time bee appointed to view & state all Acco^ts^ either of the West India Company or the Towne, as to their Debit & Credit, & make Report thereof how they shall finde the same to the Governo^r^ who will then give such further Order thereupon as shall bee most consonant to Justice & good Conscience. In the meane time the Peti$\tilde{c}$oners are to suspend any further Suite upon this Occasion.

The Comn^rs^ to bee —

M^r^ Tho: Lovelace.[1] M^r^ Joħes V: Brugh[2]

M^r^ Corn: Van Ruijven. M^r^ Joħes de Peijster.[3]

By Ord^r^ &c

[1] Thomas Lovelace, a brother of Governor Lovelace. He was appointed an alderman of New York City, October 13, 1671, and was commissioned captain of a foot company of Staten Island, on July 1, 1672, being confirmed therein on February 4, 1672/3.—*General Entries*, vol. 4, pp. 53, 171, 254.

[2] Captain Johannes Peterse van Brugh.

[3] Johannes de Peyster (Peister, Peijster), whose ancestors were compelled to leave France after the massacre of St. Bartholomew, in 1572, was born in Haarlem, Holland, where he married Cornelia Lubbertse, a native of the same place. He was the first member of the family that emigrated to America, and settled at New Amsterdam, of which he became a schepen in 1655. Governor Nicolls appointed him an alderman of New York City, on June 12, 1666, and he served until August 13, 1668. Again, on June 7, 1669, Governor Lovelace appointed him to fill a vacancy in the board, of which he continued a member for several terms thereafter. Upon the resumption of Dutch sovereignty, in 1673, he became a burgomaster; subsequently, under English domination, he served as alderman (1676), deputy mayor (1677), and was chosen mayor of the city, on October 15, 1677, but declined the post.—*Orders, Warrants, Letters*, vol. 2, pp. 75, 161, 176, 215–216, 430; *Court of Assizes*, vol. 2, pp. 409, 429, 598; *General Entries*, vol. 4, p. 220; *De Peyster and Watts Genealogical Reference*. Poughkeepsie, 1854, pp. 21, 38–41; *Local Memorials relating to the de Peyster and Watts and affiliated Families*. New York, 1881, pp. 36–38.

[8]

ffrancis de Brijne. The Petiĉon of ffrancois de Bruijne[1] being taken into Consideraĉon, this Order was made Viz^{t} —

Vpon y^{e} Petiĉon of ffrancois de Bruijne against the Inhabit^{ts} of Gravesend, touching their neglect of making up their ffences[2] according to Agreem^{t}, It is Ordered That y^{e} Examination hereunto bee referr'd to the next Court of Sessions, who are to make some Order [85] thereupon, That y^{e} Agreem^{t} made between y^{e} Parties above-mentioned bee punctually observed, wth some Penalty to bee imposed on them who are or shall bee in default.

By Ord^{r} &c

Breucklyn The Petiĉon from Breucklin, about a Lott there confiscated to the Duke,[3] — had an Order as followeth.

[1] François de Bruyn *alias* Francis Brown, who had removed to New Utrecht, L. I., in 1663, owned a farm there "commonly called y^{e} Turcks Plantaĉon," for which he had obtained a patent from Governor Nicolls, on June 11, 1667. He sold this land, March 18, 1671/2, to Barent Joosten, of Bushwick, and Jan Hansen, of Flatbush, for which his widow, Anna de Sille, gave a quit claim, on April 11, 1676, in which month she received a pass for herself and twelve children to sail for London. He had several disputes with the town of Gravesend over his land rights and, in August, 1669, lodged a complaint with Lovelace for molestation in the ownership of a parcel of meadow belonging to his farm, which Gravesend claimed as of right belonging to that town. The case was taken to the court of assizes in November, in which he was defendant. He was given a verdict by the jury, but an appeal was granted and the jury's verdict was disannulled. A commission having been appointed to survey the land in controversy, reported to Lovelace, who awarded to the town of Gravesend two-thirds and to Bruyn one-third of the meadow, in April, 1670. On March 7, 1669/70, he and a company of associates were given a monopoly of catching porpoises in and about New York Bay, for a term of twelve years. After the sale of his plantation at New Utrecht, he seems to have resided at Flatbush. Upon the recapture of New York by the Dutch, he was, on August $\frac{8}{10}$, 1673, appointed secretary of the district of the six towns on Long Island which had submitted to the new authority.— *Deeds*, vol. 1, pp. 101–102; *Orders, Warrants, Letters*, vol. 2, pp. 405, 518; *Court of Assizes*, vol. 2, pp. 210–213, 414, 428, 483, 494, 551; Brodhead. *Hist. of N. Y.*, vol. 2, p. 214. See sketches in Bergen. *Kings Co. Settlers*, pp. 86–87; *N. Y. Geneal. and Biog. Record*, vol. 10, pp. 35, 85–86.

[2] Collateral and Illustrative Documents, No. LVIII.

[3] Collateral and Illustrative Documents, No. LIX.

Vpon y^e^ Peticon of y^e^ Inhabit^ts^ of Breucklin about a Lott of Land in their Towne heretofore belonging to Charles Gabry, but since confiscated to his Royall Highness;[1] It is Ordered that it bee referr'd to y^e^ next Court of Sessions to make Enquiry into the value of the Premisses, soe that it may bee made over to the Towne for their Convenience, they paying some yearly Rent Charge or Quit Rent to bee reserved thereupon.

By Ord^r^ &c:

A Peticon from Newtowne about their Bounds between them & Boswick,[2] upon which this Ord^r^ went forth — Newtowne.

Vpon the Peticon of y^e^ Inhab^ts^ of Newtowne that some indifferent Persons might bee appointed to view & Lay out the Bounds between [86] them & their Neighbo^rs^ of Boswijck; It is Ordered That on each part they bring in their Patents or p^r^tences to the next Court of Sessions, who are to make Enquiry thereinto, & to make Report of their Judgments therein to y^e^ Governo^r^

By Ord^r^ &c:

Fredrick Lubbertsen[3] & Mons^r^ Heynelle,[4] the Agreem^t^ made between them & confirmed by the Governo^r^ to bee Observed.[5]

Staten Island Settlem^t^, to bee further considered of by the

[1] On this confiscated land of Charles Gabry (Gabrije), see Stiles. *Hist. of the City of Brooklyn*, vol. 1 (1867), pp. 82–83.

[2] Collateral and Illustrative Documents, No. VIII.

[3] Fredrick Lubbertsen, of Brooklyn. On his landholdings and for sketches, see Stiles. *Hist. of City of Brooklyn*, vol. 1, pp. 63–69; Bergen. *Kings Co. Settlers*, p. 194.

[4] Captain Michiel Heynelle (Michael, Michiell, Michil Hainelle, Haynell), of Bedford (Brooklyn), whose wife was Hendrika Strokels. On February 3, 1672/3, he was granted a license "to sell Wine or Strong Liquo^rs^ by Retayle" in his house in Brooklyn.— *General Entries*, vol. 4, p. 256; Stiles. *Brooklyn*, vol. 1, pp. 49, 427; Bergen. *Kings Co. Settlers*, p. 130.

[5] Collateral and Illustrative Documents, No. LX.

Governo^{r}; only y^{e} Names of those who have Lotts given them, to bee affixt publickly within a certaine time to bee given, by the which they are to ffence in their Home Lotts. The time allotted the first of May.// [1]

Encouragemen^{t} for y^{e} ffrench Minist^{r},[2] who proposes to bring over some ffamilyes of Protestants at his returne back hither, hee being designed into Europe.

His Proposalls are approved of, & hee to have all Encouragem^{t}.[3]

About ffencing of Towne-Lotts &c:

That every one bring in their p^{r}tences to any Ground or Lott in or about the City, by y^{e} first or second day of March next, when they are to bee enjoyned to ffence [thes]e: & build.[4]

[87] About y^{e} Militia of y^{e} City a third Company is to bee made, & that an Ord^{r} bee sent forth to the Officers to represent the Names of some Persons for to bee Officers in the New Company.[5] The Troope of Horse to bee further consider'd of.[6]

Cap^{t} Wilkins [7] his ffine to bee remitted ½.

The Ord^{rs} about y^{e} Murder made here & at New Jersey, read.[8]

M^{r} Delavall declared what past at the making the peace at Albany between the Indyans.[9]

It is Ordered, That whatsoever M^{r} Delavall & the Commission^{rs} have done in making of the peace between the

[1] Collateral and Illustrative Documents, No. XXXI.

[2] Rev. Jacques Roullaud.

[3] Collateral and Illustrative Documents, No. LXI.

[4] Collateral and Illustrative Documents, No. LXII.

[5] Collateral and Illustrative Documents, No. LXIII. See also *Records of New Amsterdam*, vol. 6, p. 357.

[6] Collateral and Illustrative Documents, No. LXIV.

[7] Captain William Wilkins, of Gravesend.

[8] Collateral and Illustrative Documents, No. LIV.

[9] Compare Collateral and Illustrative Documents, No. XIX.

Maques & Mahicanders [1] is very well approved of, & hee hath thanks given him for his Care & paines therein.

About Youncker Voschs Estate,[2] That it bee secured in the best manner it can bee untill some way can bee proposed for its Disposal, w^ch^ is referr'd to y^e^ Court of Sessions, to make Report thereof to the Governo^r^

[88] At a Councell held &c:
Jan: 11^th^ 1671.

Pres^t^

The Governo^r^
M^r^ Delavall
M^r^ Steenwijck
The Secretary.

The Matt^r^ in difference is upon the Petičons of M^r^ Badgard,[3]

[1] Mohawks and Mahican. The latter were also called River Indians, North Indians, Northern Indians and by the French name of Loups. See *Handbook of American Indians*, pp. 786–789; Ruttenber. *Indian Tribes of Hudson's River*. Albany, 1872.

[2] Collateral and Illustrative Documents, No. LXV. Balthazar de Vosch, of Flatlands, L. I., fled the country, leaving behind him a number of debts, shady transactions and a complicated estate. His wife, having been granted a pass, on July 4, 1670, to go to Holland in the ship "Fame," left his affairs unsettled, and on October 21, 1670, Captain Elbert Elbertsen and Jacob Strycker were appointed as trustees to take possession of his estate. He was called also Joncker Vosch in the records.—*Court of Assizes*, vol. 2, p. 562; *Collections* of N. Y. Hist. Society, 1892, p. 12; *Records of New Amsterdam*, vol. 6, p. 217. See sketch in Bergen. *Kings Co. Settlers*, pp. 381–382.

[3] Thomas Badgard or Badgord, was a merchant of New York City, who died intestate in 1672. The administrators of his estate, on October 21, 1672, appointed William Crichlow "as a Trustee" entrusted with the settlement of "some Concernes" of Badgard in Barbados and the island of Jamaica. At the mayor's court of New York City, March 19, 1671/2, Thomas Walker was non-suited for not appearing after his suite against Badgard had been put over from time to time, and was ordered also to pay the costs.—*Collections* of N. Y. Hist. Society, 1892, p. 26; *General Entries*, vol. 4, p. 222; *Records of New Amsterdam*, vol. 6, pp. 342, 365.

Mr Ripley,[1] & Mr Darvall[2] against Mr Walkers[3] Bond given at Jamaica, wth Mr Christopher Davis, & Mr Ripley to returne thither in ffebruary next.[4]

An Ordr to the wch to referr.

The Two Depositions Attested at Boston, the one that Mr Davis paid ten pound odd money for Mr Walker, & the other that hee gave Bond for 29li 19s for Porke wch Mr Walker had before his Vessell went into the Bay of Campechio being taken into Consideracõn, It's thought reasonable, That hee pay the said two Sumes here to Mr Darvall as Attorney of Mr Badgard Mr Davis his Attorney, or give Security to pay the same at Jamaica; Mr Darvall obliging himselfe to save Mr Walker harmlesse, & repay the same if Mr Davis hath not paid ye said Sumes, or hath been satisfyed otherwise.

As to the Bond, That the Pinck[5] shall returne to Jamaica, in the wch Mr Ripley & Mr Davis are bound wth Mr Walker, It is likewise thought fitt, that Mr Walker sha[ll] take Mr Ripley on [89] board wth him his Voyage to Virginia, & from thence to Jamaica, directly; for ye Prosecucõn of the which Voyage, & to save his Security Mr Davis & Mr

[1] William Richard Ripley, generally Richard Ripley for short, was commander of the pinck called "ye Batchelours Delight," trading between New York and the island of Jamaica. Thomas Walker sued Ripley at the mayor's court of New York City, October 28, 1671. He declared that Ripley was "indebted unto him for provisions & Tooles Delivered for the Compechio [*sic*] Voyage to the pinck *Batchelors delight*" and "alsoo for the Intrest of the sd monny Laid out for the sd provisions & Tooles and for the Losse of three Boats as pr account the sume of £128: 11: 3 Sterlingh," for which he asked judgment with costs. The jury found for Walker; the court concurred, and an execution was issued out on November 24, 1671. Ripley, however, left the province in 1672 "without satisfying the sd Execution."— *General Entries*, vol. 4, p. 52; *Records of New Amsterdam*, vol. 6, pp. 341, 378.

[2] William Darvall.

[3] Thomas Walker, merchant of London, and half owner of the "Batchelours Delight."

[4] Collateral and Illustrative Documents, No. LXVI.

[5] The reference is to the ship named "Batchelours Delight."

Opposite p. 119.

DRAUGHT OF LAND IN DISPUTE BETWEEN PELL AND RICHBELL.

(Reduced from $6\frac{1}{2}$ by $8\frac{1}{4}$ inches.)

Ripley harmlesse, hee shall enter into an Obligation to Mr Ripley engaging his Ship & person for the same.[1]

At a Councell held at ye Fort
Janry 18th 1671.

Present

The Governor
Mr Delavall
Mr Steenwijck
The Secretary.

The Matter under Consideracon was ye difference between Mr Pell & Mr Richbell.[2]

The Commissions Papers delivered, Sealed up, were now opened and read.

Capt Dudley Lovelace, & Capt Jaques [Cortelyou] in a manner Agree, yet referr to a Tree in the middle of the third Neck, markt on the one side wth J. R Eastward, on ye Westward with T. P. wch would divide ye Meadow between them.//

[1] Collateral and Illustrative Documents, No. LXVI.

[2] Collateral and Illustrative Documents, No. LXVII. Thomas Pell, of Norfolk, was an Englishman and adherent of the royal cause, who, in 1654, purchased a large tract of land, including the town of Pelham, Westchester County. He died at Fairfield, Conn., in 1669, and made his nephew, John Pell, only son of Dr. John Pell "of ould England," his heir. His plantation or manor in Westchester County was known as "Anne Hooks Neck," and he died while the litigation with John Richbell was in progress. Singularly enough, Richbell was one of those who were appointed to make an official inventory of Thomas Pell's estate, on October 13, 1669.— Brodhead. *Hist. of N. Y.*, vol. 1, p. 595; *Collections* of N. Y. Hist. Society, 1892, pp. 11, 12; *Court of Assizes*, vol. 2, p. 423a, 550, 562 See also Bolton. *Hist. of County of Westchester* (1881 edition), vol. 1, pp. 468–469; vol. 2, pp. 44–49. Jacob Young, a resident of Pell's manor, was sworn in as constable, February 1, 1670/1.— *Court of Assizes*, vol. 2, pp. 639, 641. Young later removed to Phillipsburg and was survived by his wife, who was married to John Tanke.— Pelletreau. *Westchester County Wills*, p. 388.

Mr Elyas Doughty declares positively of [90] Mr Richbells Bounds by Purchase to bee Stony Brooke.//

Mr Ponton saith, That ye Brooke menc̃oned in both Patents is the same; & that hee hath known the afore named Cedar Tree or Gravelly Brooke to bee called by that name for 16 yeares. And concerning that wch is now called Stoney Brooke, it was formarly called Chapmens Brooke or Stoney Brooke.

ffrancis Yeates [1] saith that in his Judgment Mr Pells Bounds comes to Gravelly or Cedar Brooke.

An Ordr to bee referrd to.—

Vpon perusall & Considerac̃on had hereupon, two of the Commissionrs making Report, That between the two Brookes now called Stoney & Gravelly Brookes, there being a Tree markt on the East side with J. R. & on the West wth T. P. from ye which if there were a Line run directly down to the Sound,[2] It would divide the Meadow in difference between both Partyes, & putt an End to ye Mattr in question, & neither of the other three agreeing amongst themselves as to their Opinion of the Bounds, The Governor being very desireous of an Amicable Composure of the Matter between both Partyes, doth recommend the same unto them; However if either Party shall not seem satisfyed herewth, that then they have Liberty to proceed to a Tryall at a Speciall Cort according to the Ordr of the last Geñall Cort of Assizes; of their Resolutions hereupon a speedy Answr is expected, that Order may bee taken accordingly.[3]

[1] Francis Yates, of Westchester. For his will dated November 29, 1682, and proved February 3, 1682/3, see *Collections* of N. Y. Hist. Society, 1892, p. 123.

[2] Long Island Sound.

[3] Collateral and Illustrative Documents, No. LXVII.

[91] At a Councell held in Fort James. May y^e 17^th 1672.

Present

The Governo^r
Cap^t Delavall
M^r Steenwijck
Cap^t Willett.
The Secretary

Cap^t Salisburyes Peticon.

That y^e Rent bee adjudged due to y^e Duke from the Publication, & that it bee paid to Cap^t Salisbury, who alledges the Gift of it from Coll: Nicolls.[1]

The Letter brought by M^r Paine[2] discourst upon, M^r Paine is desired to make his own Proposalls, of the w^ch hee hath time to consider a day or two.[3]

Hendrick Jansen's Busynesse about his Land hee hath possessed above 10 yeares. That it bee confirmed to him to dispose of as hee pleases.[4]

Boswijck & Newtowne, y^e Bounds to bee Survey'd & viewed by y^e Surveyo^r Gen^all, & Report made thereof that it may bee issued.[5]

Schanechtade Tappers to continue untill M^r Delavalls & Cap^t Willetts[6] goeing up to Albany, who are to examine into y^e Matt^r.[7]

[92] As to Delaware Busynesse referr'd to y^e Councell.[8]

First — About y^e Towne of New Castles being a Corporacon, It's allowed of. And that it bee a Baylywick, &

[1] Collateral and Illustrative Documents, No. XXXVIII.
[2] John Paine.
[3] Collateral and Illustrative Documents, No. LXVIII.
[4] Collateral and Illustrative Documents, No. LXVIII (a)
[5] Collateral and Illustrative Documents, No. VIII.
[6] Thomas Delavall and Thomas Willett.
[7] Collateral and Illustrative Documents, No. LXIX.
[8] Collateral and Illustrative Documents, No. LXX.

Governed by a Bayly & six Assistants after the first yeare, 4 old ones to goe out, & 4 other to bee chosen in their Places. The Bayley to bee President & have a double Vote, a Constable to bee chosen by the Bench.

To try Causes as farr as 10ll without Appeale.

As to ye 2d ye English Lawes according to their Desire to bee Establisht in that Towne & River;

And ye Office of Schout to bee Converted into a Sheriffe for the Corporacon & River, & that hee bee annually chosen.

It's to bee further considered of, when Capt Cantwell [1] comes, if it bee before Capt Carrs [2] goeing away.//

As to the third, to have free Trade without being obliged to make Entry here. That ye Determinacon hereof bee suspended untill Advice bee sent about it out of England, or other Consideracons had thereof.

Concerning the Certificate about ye Whorekill, That Capt Carr shall have Instructions hereupon at his Returne.[3]

The Agreemt made by Mr Delavall between Capt Topping[4]

[1] Captain Edmond Cantwell, whom Lovelace had commissioned, on April 1, 1672, during the governor's visit to Newcastle, as "Captaine of ye ffoot-Company risen or to bee risen within the Towne of New Castle in Delaware River & parts adjacent."—*N. Y. Colonial MSS.*, vol. 20, p. 33. On August 2d, of that year, Lovelace commissioned him "in the Place of Schout to bee High Sheriffe in New Castle and Delaware River, for the year ensueing;" and a few days later, the 10th, he was empowered to colleet the arrears of quitrents in Delaware, in place of William Tom, who had held that authority since August 10, 1669, but resigned.—*General Entries*, vol. 4, pp. 184, 185.

[2] Captain John Carr.

[3] Collateral and Illustrative Documents, No. LXX.

[4] Captain Thomas Topping, of Southampton, L. I., who, on April 10, 1662, purchased from the Shinnecock Indians land lying west of Southampton, together with one-half of the whaling profits and benefits of the beach on the south shore. Most of this land was deeded to the town of Southampton, on November 15, 1666, at which time he also conveyed his whaling rights to John Cooper, of the same town. Topping was appointed by Governor Nicolls a member of his council in 1664; he became a member of the court of assizes in 1665, and the same year was appointed a member of the new board of commissioners of admiralty for the province; he was also commissioned by Nicolls, on July 11, 1666, as the first member of the newly-created commissioners for Indian affairs in the East Riding of Yorkshire.—*Deeds*, vol. 2,

& y^e^ Commission^rs^ for Indyan [93] Affayres approv'd of. Their Commission to bee call'd in at y^e^ next Sessions.[1]

The Agreem^t^ made by him w^th^ y^e^ Whale-Men, securing the Dukes Interest at Oysterbay; It's allowed.[2]

That a strict Ord^r^ bee made w^th^ a Penalty of 50^ll^ to bee Levyed, on such as shall deceive the Duke of his Interest, & 20^ll^ of it to the Informer.

Thirteen Barrells to ffinch,[3] & 'tother two in M^r^ Delavalls hands to defray Charges.

Peter Jacobs [4] Request about taking in part of a Loading of Corne at New Jersey, & soe for Boston, touching here, & taking in the rest of his ffreight;

It's adjudged to bee a Breach of y^e^ Law in that Case provided.

Delaware Expedition to bee borne by the Publick.// [5]

M^r^ Nicolls [6] his Charges y^e^ first Voyage to Delaware to bee borne out of y^e^ ffines of the Long ffinn.[7]

pp. 49–50, 54–57, 200–206, 257–258; Brodhead. *Hist. of N. Y.*, vol. 2, pp. 43, 75, 87. For an inventory of his estate, in 1681, see *Collections* of N. Y. Hist. Society, 1892, p. 111.

[1] Collateral and Illustrative Documents, No. LXXI. In 1671, the commissioners for Indian affairs were William Wells and John Mulford, justices of the peace; Captain John Howell, Captain John Young, Captain Charles Glover, and Thomas Baker. On February 23, 1671/2, Barnabas Horton was appointed to the vacancy created by the death of Wells.— *General Entries*, vol. 4, pp. 14, 101.

[2] Collateral and Illustrative Documents, No. LXXII.

[3] John Finch, of Huntington, L. I., called "Goodman John Finch." He died in 1685, aged ninety years. For references to him see *Huntington Town Records*, vol. 1 (1887), pp. 159, 188, 194, 245, 246, 354, 432.

[4] Pieter Jacobsen.

[5] Collateral and Illustrative Documents, No. LXXIII.

[6] Captain Matthias Nicolls, secretary of the council. He had been appointed an alderman of New York City by Governor Nicolls, August 14, 1668, and was continued by Governor Lovelace, August 14, 1669, and again until October 9, 1670, when he was appointed deputy mayor, during the mayoralty of Thomas Delavall. On October 13, 1671, he was chosen as mayor of the city. Both governors charged him with many other trusts.— *Court of Assizes*, vol. 2, pp. 409, 421, 571, 598; *General Entries*, vol. 4, p. 53; *N. Y. Colonial MSS.*, vol. 22, p. 108.

[7] Collateral and Illustrative Documents, No. XI.

Cap^{t} Mannings Peticon about Cap^{t} Blagg to bee considerd of, when they are both heard.[1]

Cockrams[2] Busynesse to bee by Abatement, proportionably to pay y^{e} Countrey Rate, hee was accomptable for.[3]

Here followeth some particular Ord^{rs} about y^{e} Conside-[ration][4] afore-written.

Cap^{t} Salisbury & Fred: Gisberts

[94] The Matter in Difference between Cap^{t} Silvest^{r} Salisbury & ffredrick Gijsberts,[5] having long depended, It being about Rent Claymed by Cap^{t} Salisbury from y^{e} s^{d} ffredrick Gijsberts for a certaine confiscated House in the Stone Street granted by Governo^{r} Nicolls to the said Cap^{t} Salisbury; The Premisses being taken into Consideracon, It's adjudged that the Rent of the said House is to bee paid to Cap^{t} Salisbury from the time of the Publication of the Confiscation thereof, although before y^{e} Date of his Patent, In regard it's thought to bee the Intent of the late Governo^{r}; And the Tenant ought not to pay the Rent after y^{e} said Publicacon to any other then whom y^{e} Governo^{r} should direct.

By Ord^{r} &c:

Maryland & The Whorekill

Vpon Consideracon had of a Certificate brought by Cap^{t} Jn^{o} Carr from New Castle in Delaware River about y^{e} p^{r}tences from Maryland to y^{e} Whore-Kill, & their sending Surveyo^{rs} to lay out Land:[6] without the Consent or Approbation of the Officers there under y^{e} Protection of his Royall

[1] For the details of this case see *infra*, minutes of May 20. Captain John Manning was at this time high sheriff of Yorkshire, serving in that office from September 7, 1671, in succession to Robert Coe, until June 30, 1673. His petition, evidently, was directed against Captain William Blagg.—*General Entries*, vol. 4, pp. 26, 129, 201.

[2] John Cockram.

[3] Collateral and Illustrative Documents, No. XXXII.

[4] Original mutilated.

[5] Collateral and Illustrative Documents, No. XXXVIII.

[6] Collateral and Illustrative Documents, No. LXX.

Highness, who withstood their Proceedings therein, It is Ordred That ye Magistrates there bee vindicated in what they have done, to whom a Letter of Thanks is to bee sent, & it is likewise expected that they continue in their [95] Observance of such Ordrs & Directions as they shall receive from this his R: Highness Governmt & none other, untill his Mãties or his Royall Highness Pleasure bee signifyed to the contrary.

By Ordr &c:

Hendrick Jansen of Maspeth Kills his Land Confirmed.

Vpon ye Petiçon of Hendrick Jansen of Mashpeth-Kills, that hee might have a Confirmaçon of a piece of Land graunted him there by the Dutch Governor, the wch for severall yeares hee had Possessed and manured, in like manner as other his Neighbors have had, who were seated there by Ordr from ye Governor, It is Ordered, That the said Land bee Confirmed unto him to dispose of at his Pleasure.

By Ordr &c:[1]

Boswijck Inhabits

A Petiçon from ye Inhabits of Boswijck being taken into Consideraçon, wherein they request that some period may bee putt to ye difference between them & Newtowne, about their Bounds & Limitts, concerning the wch there hath been soe long Controversy & Dispute, It is Ordre'd [96] That ye Bounds in question shall bee viewed & Survey'd by the Surveyor Geñall,[2] and Report made thereof to ye Governor, that the Matter in difference may at length bee issued, & noe farther Dispute bee had upon the same.[3]

By Ordr &c:

[1] Collateral and Illustrative Documents, No. LXVIII (a).
[2] Jacques Cortelyou.
[3] Collateral and Illustrative Documents, No. VIII.

At a Councell in y^e^ Fort &c:
May y^e^ 20^th^ 1672.

Present The Governo^r^
M^r^ Steenwijck
The Secr̄.

At y^e^ Request of Cap^t^ Blagg [1] & y^e^ Peticon of Cap^t^ Jn^o^ Manning, their Difference was taken into Consideration.

Cap^t^ Blaggs Request first read.

His first Offence not to bee called in question, neither for carrying away y^e^ Souldyer, nor firing at the ffort, but at M^r^ Delavalls, It [be]ing past by at his last being here.

[97] Cap^t^ Manning brings in his Complaint for Cap^t^ Blaggs Ship not firing at her last goeing out, of which hee saith hee was a Wittnesse, together w^th^ Philip Johns [2] & severall others upon the Wall & Bastion.// [3]

Cap^t^ Blagg stands in his Justification & offers to prove, that hee call'd his Men to take Notice that hee Strooke, & Ordered 5 Gunns to bee ffired towards the Kings fflagg, & that M^r^ Wasslyn [4] & M^r^ Dyer [5] were p^r^esent.

That Proofe to bee Examined into.

The carrying away Bartholmew Salter the Souldyer is laid to his Charge.

Hee referrs to his Papers.

It was reported hee was Concealed, & received on board, as was said by two of his Seamen, named John Harris & James Westmore, but hee heard not of it till they had receiv'd their Pay & were discharg'd in Holland.//

[1] William Blagg.

[2] Haven master of the port of New York.

[3] Fort James.

[4] Wasslyn was commander of the ketch "Rebeckah," sailing between the American colonies.— *General Entries*, vol. 4, p. 80 (December 28, 1671).

[5] William Dyer or Dyre, son of Captain William and Mary Dyre. For a sketch of him see *American Historical Register*, vol. 1, pp. 37–43.

The Mate, Docto^{r}, & Boatswaine of the Ship, offer'd to Justify before Cap^{t} Manning what Bat: Salter swore before y^{e} Justice, & that Batt Salter's Note was soe delivered on board as is alledged.

If M^{r} Wasslyn & M^{r} Dyer doe Averr upon Oath what is alledged by Cap^{t} Blagg, hee is to bee declared free as to that particular.

[98] And y^{e} three Persons offering to take their Oaths before Cap^{t} Manning who is y^{e} Accuser when Blagg was first questioned to y^{e} Truth of Bat Salters delivering the Note on board to Cap^{t} Blagge, & taking his Oath before the Justice, as in the Paper is Certifyed, It's lookt upon hee is cleare as to that particular likewise of his Voluntary carrying away (or concealment) of him before his Discovery.

M^{r} Dyer & M^{r} Waslyn being present afterwards were enquired of, what they knew hee spake on board about his Striking or not, & ffiring at the ffort.

They both acknowledge to have heard him say soe at that time, & that the ffort was all open to the Ship before hee spake to his Men, & that hee did strike his Top-Sailes, & ffired 5 Gunns; the which They are ready to testify upon Oath; Which Declaration is accepted of.

Hereupon Cap^{t} Blagg is adjudged according to the Testimonialls to bee free & acquitted of the Accusac̃on, & is at his Liberty; Soe may have a Passe to Transport himselfe out of these his Royall Highness his Territoryes where hee pleases.

[99] At a Councell Extraordinary
May 24th 1672.

Present

The Governo^{r}
M^{r} Delavall
M^{r} Steenwijck
The Secretary.

Letter from his Ma^tie

The Occasion of y^e Meeting, a Letter brought yesterday by M^r Sharpe [1] by the way of Boston, from his Ma^tie Signed by the Lord Arlington.[2] Dated March y^e 10^th 167½.[3]

The first part of the Lett^r taken into Consideracõn, That by reason of y^e Troubles like to bee in Europe, Care bee taken for y^e most Seasonable & safe time for Ships goeing from hence homewards. viz^t Mar: y^e 24^th June 24^th & Septemb^r y^e 24^th

The day above-written his Mã^ties Lett^r being receiv'd & read in Councell w^th all Respect & Humility.

In Obedience thereunto, It is Ordered, That his Mã^ties Commands therein in relation to y^e Navigation of Vessells from this Port for Europe shall bee duely & punctually observed according to the teno^r of his Mã^ties Gracious Lett^r [4]

That having at this p^rsent time one only Ship w^ch hath already had her Dispatches, & for severall dayes since is gone out of the Port, & none other expected to bee ready to beare her Company in soe short time as the 24^th of June, being also willing to re[turne][5] an Answ^r [100] of the Reception of his Mã^ties Gracious Letter, & readynesse to observe the Directions therein, It is thought convenient y^e said Ship should proceed on her Voyage. And for the Security of Ships after they come here, w^ch his Ma^tie doth recommend, That all Care shall bee taken & besides the ffort [6] a Battery in y^e most convenient Place of the City shall bee made, to secure all Ships in the Road.

To p^rvent all suddain Incursions or Attacques of this place or Colony by an Enemy, (w^ch is the last Clause of the

[1] John Sharpe.
[2] Sir Henry Bennet, Earl of Arlington, English secretary of state.
[3] Collateral and Illustrative Documents, No. LXXIV.
[4] *Ibid.*
[5] Original mutilated.
[6] Fort James.

Kings Letter, & left to best discretion) It is resolved, That the whole Governm^t shall bee putt into a posture of Defence in the best manner that they are capable of, which shall bee taken into farther Consideration; & the Governo^r will please to propose a Modell thereof.[1]

Cap^t Haselwood [2] not to depart before Monday, by which time his Dispatches shall bee ready in Answer to his M^ties Letters.// [3]

An Answ^r to a Lett^r sent by y^e Governo^r to Major Gen^all Leverett, read, & taken into Consideration. {Major Leverets Lre.

The Copie of y^e Originall from y^e Governo^r first read, then the Answer.

They are both Ordered to bee Recorded.[4]

[101] At a Councell held at Fort James, June y^e 10^th 1672.

Present

The Governo^r
M^r Delavall
M^r Steenwick
The Secretary.

The first Matter taken into Consideration is the Irruption at New Jersey, & Difference between Governo^r Carterett,[5] & Cap^t James Carterett.[6] {The Irruption at N: Jersey.

[1] Collateral and Illustrative Documents, No. LXXV.

[2] Captain Clayborne Haselwood, commander of the ship "Justice of London."

[3] Collateral and Illustrative Documents, No. LXXIV.

[4] Collateral and Illustrative Documents, No. LXXVI.

[5] Philip Carteret.

[6] Captain James Carteret, instigator of the "irruption," was a legitimate younger son of Sir George Carteret; but a weakling and a rake, yet of "good understanding." He married, in 1673, Frances, daughter of Captain Thomas Delavall. For personalia see Riker. *Revised History of Harlem* (1904), pp. 322–323, 359–360, 809, 810–811; Baetjer. *Carteret and Bryant Genealogy*,

A Draught of a Letter from y^e^ Governo^r^, proposed to bee sent to Cap^t^ James Carterett, read & allowed of to bee Engrossed & sent.

The Direction to bee to Cap^t^ James Carterett, & to those others whom hee shall think fitt to Communicate it to.//

Cap^t^ Dudley Lovelace to bee the Messeng^r^, & an Answer to bee desired in Writing at his Returne.[1]

Cap^t^ Carr & Delaware.

The next about Cap^t^ Carr & Delaware, The Ord^rs^ made last Councell about y^e^ Towne [2] & River [3] to bee allowed & sent.// [4]

The Continuance of y^e^ Garrison in Pay taken into Consideracõn, whither there is any Occasion for them or noe any longer.

That they continue as they are till farther Ord^r^

Whore-Kill.

The Whore-Kill Returne & Comp^tt^ [5]

To advize w^th^ M^r^ Cousturier [6] & [C]ap^t^ Carr about y^e^ Officers, & about the others [of] y^e^ Gover[nm]ent [102] there to bee vindicated.//

New York, 1887, pp. 6–7; Brodhead. *Hist. of N. Y.*, vol. 2, pp. 177, 189–190. For contemporary records on the rebellion see *New Jersey Archives*, vol. 21. pp. 32, ff.

[1] Collateral and Illustrative Documents, No. LXXVII.

[2] Newcastle.

[3] Delaware River.

[4] Collateral and Illustrative Documents, No. LXX.

[5] *Ibid.*

[6] Henry or Hendrick Cousturier (also Casturier, Cousterie, Coutrie in the records) was one of the burgomasters at the Delaware who swore allegiance to English rule, October 1, 1664. He and his wife, Elizabeth, were residents there at the time of the Dutch surrender, and seem to have become temporary residents of New York City soon thereafter, returning to the Delaware in 1669, where he had a lot on the strand in Newcastle. Cousturier was given letters of denization, on July 8, 1672, and a passport, on July 16th, to go to England and Holland, "having severall Occasions w^ch^ call him into Europe for the securing of his Estate & ffortune in those parts" and "to withdraw his Estate out of any of those parts, not in league w^th^ his Ma^tie^ nor under his allegiance, w^th^ Intent to returne hither about his Occasions to his ffamily & Relacõns."— *General Entries*, vol. 1, pp. 60, 156; vol. 4, pp. 45, 162, 171–172: *Deeds*, vol. 4, p. 87; *Records of New Amsterdam*, vol. 6, pp. 176–177.

The Returne from Kingston.// Kingston.

Cornelijs Wijncoop [1] & Joost Adriaensen,[2] to come in New Commissaryes.//

The Hempstead Peticon allowed of, that they shall have Liberty to Provide themselves of such a Minist^r as the Law approves off. Hempstead.

The Peticon of Mad-nans Neck being considered off, It having been by y^e Court of Assizes referred to the Sessions Court of Jamaica formerly to enquire what was done therein there, & give y^e Governo^r Acco^t of it } Mad-nans Neck.

Matinicok Petition about Commanage to bee taken into Consideracon, when it shall bee discourst of w^th those of Hempstead, & M^r Paine, & Terry; [3] In the mean time Nothing to bee done to their p^rjudice.[4] Matinicock

The Widdow Nevius [5] Peticon about y^e fferry to have her time renewed for six yeares. The Widdow Nevius.

To have it respited till the former Conditions bee viewed, & then consider'd of.

[1] Cornelis Wijncoop, Wyncoop, Wynkoop, and other forms, was formerly a resident of Albany.— Schoonmaker. *Hist. of Kingston*, p. 494; *Early Records of Albany* (Pearson), pp. 17, 404, 508; *Ulster County Probate Records*, vol. 1, pp. 32, 38; *Wynkoop Genealogy*, 3d edition (N. Y., 1904), pp. 9, ff.

[2] Also called Joost Adriaensen Vermeulen. He was of Pynaker in Holland. For his family history, wills, etc., see *Ulster County Probate Records*, vol. 1, pp. 29, 30; *Collections* of N. Y. Hist. Society, 1892, p. 69; *Records of Ref. Dutch Church* (New York), p. 29; *Olde Ulster* (magazine), vol. 1, p. 350.

[3] John Paine and Thomas Terry.

[4] Collateral and Illustrative Documents, No. L.

[5] Joannes Nevius married Adriaentje Bleeke or Bleijck, daughter of Swantje Janse and stepdaughter of Cornelis de Potter. He was secretary of New York City from 1657 till 1665. About 1669 or 1670, Nevius obtained the lease of the Brooklyn or Long Island ferry, which he managed until his death, upon which his widow asked for the prolongation of the ferry privileges to her, as revealed more particularly in these council minutes of July 1, 1672. For personalia see *Joannes Nevius and his Descendants*, by A. Van D. Honeyman; Bergen. *Kings County Settlers*, p. 215; Innes. *New Amsterdam and its People*, pp. 48–49.

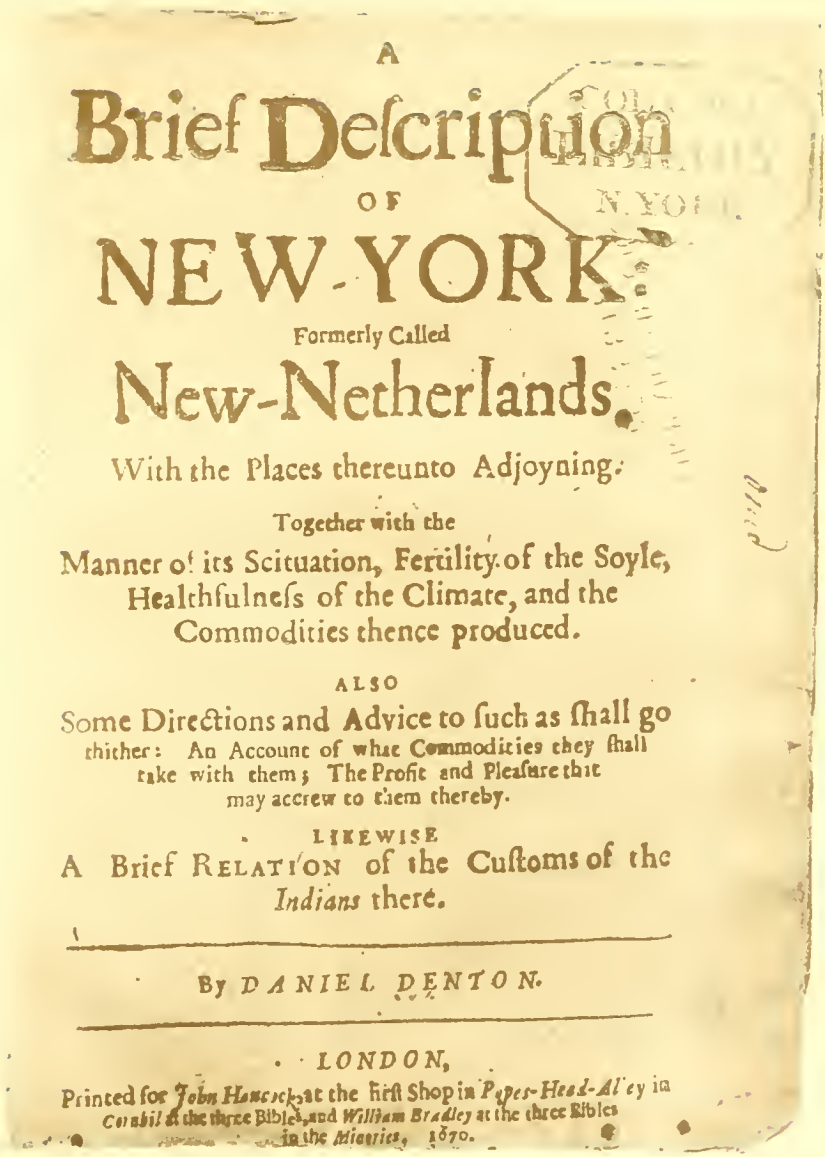
Mr Denton. Mr Denton's [1] Peticon being taken into Consideracon, & a Lettr from him to Mr Laurence,[2] an Order was made thereupon as followeth. Vizt

The Ordr [103] The Peticon of Mr Daniel Denton being taken into Consideracon, wherein hee desires an Award upon an Arbitracon may bee broken as to some Matters in Difference

[1] Daniel Denton, oldest son of Rev. Richard Denton, Presbyterian minister at Hempstead, L. I., who began his ministry there in 1644. The son was the first clerk of the newly-formed village of Rust-dorp (Quiet-Village), now Jamaica, L. I.; was one of the representatives of that village at the Hempstead convention in February, 1665, and on March 16, of that year, was commissioned by Governor Nicolls a justice of peace for the North Riding of Yorkshire. He went to London, where, in 1670, he procured the publication of the first separate English account of New York, his well-known booklet, entitled: *A Brief Description of New York, formerly called New Netherlands.* During his absence his wife, Abigail, proved herself an unfaithful spouse, a fact of which he became aware upon his return. She was presented by the constable and overseers of Jamaica at the court of sessions, held in that town in June, 1672, "accused for her Incontinency, & committing Adultery in ye absence of her Husband, then about his Occasions in Europe; All wch was too evidently made appeare to ye said Court by many Circumstances as well by her own confession & acknowledgmt of the ffact." But the court, not having authority to grant a divorce, sent the case to the governor and council, from whom Denton obtained a bill of absolute divorce, on June 26, 1672. In October, of that year, she petitioned the court of assizes, expressed regret for her misconduct, and requested permission to marry again, "fearing ye frailty of her nature, & the Temtacons that may attend her leading of a single Life, as also for her better support & maintenance having a great Charge upon her, & but five shillings per week allowance for her selfe & three Children, besides some small Matter shee can earne by her work." The court adjudged that she ought to have liberty "to marry another person, shee being freed from ye Obligacon & Tyes of Matrimony to her former Husband." Denton's children are mentioned in the will of his father-in-law, Daniel Whitehead, of Jamaica, L. I., proved on October 30, 1704. On October 28, 1664, Denton and associates purchased from the Indians a tract between the Raritan River and Newark Bay, which had been bought earlier by Augustine Herrman. In 1673, upon the reëstablishment of the Dutch authority over New Jersey, then named "Achter Col," he was chosen a magistrate of Piscataway.— Brodhead. *Hist. of N. Y.*, vol. 1, pp. 615, 619; vol. 2, pp. 49, 67–68, 74, 195, 219; *Deeds*, vol. 2, p 17; *Court f Assizes*, vol. 2, p. 317; *General Entries*, vol. 4, p. 153; *Collections* of N. Y. Hist Society, 1892, p. 398.

[2] Captain William Laurence, of Flushing.

Opposite p. 132.



A

Brief Description

OF

NEW-YORK:

Formerly Called

New-Netherlands,

With the Places thereunto Adjoyning.

Together with the

Manner of its Scituation, Fertility of the Soyle, Healthfulneſs of the Climate, and the Commodities thence produced.

ALSO

Some Directions and Advice to ſuch as ſhall go thither: An Account of what Commodities they ſhall take with them; The Profit and Pleaſure that may accrew to them thereby.

LIKEWISE

A Brief RELATION of the Cuſtoms of the *Indians* there.

By *DANIEL DENTON.*

LONDON,

Printed for *John Hancock*, at the firſt Shop in *Popes-Head-Alley* in *Cornhil* at the three Bibles, and *William Bradley* at the three Bibles in the *Mewes*, 1670.

TITLE PAGE OF THE FIRST SEPARATE ACCOUNT OF NEW YORK IN ENGLISH

By Daniel Denton, of Jamaica, L. I.

(Slightly reduced.)

between him & Daniel Whitehead without the forfeiture of his Bond, & that the Case may bee heard & adjudged by the Governor; It is Ordered that ye whole Matter & Merritt of the Cause bee referred to the next Court of Sessions at Jamaica, where some of the Councell are to sitt wth ye Justices, & they are to adjudge what is fitt to bee done as to the Arbitration, And if they see Cause may proceed to a Rehearing of the Case & an Examination into the severall Matters in the Petition sett forth, & give Judgment, & Determine the same according to Justice & good Conscience.

By Ordr &c:

Hendrick Rooseboome of Albany.

A Peticon from Hendrick Rooseboome[1] the Sexton at Albany, that hee might bury Lutherans[2] and all there;

It is thought convenient that since they have a Toleration for their Profession they may bury their own dead.

[104] At a Councell held in Fort James ye 24th of June 1672.

Present

The Governor
Capt Delavall
Capt Steenwijck
The Secretary

[1] Hendrick Janse Roseboom, sexton and *Voorlezer* of the Dutch church at Albany. See Pearson. *First Settlers of Albany*, p. 92.

[2] On November 7, 1672, Thomas Delavall, then at Albany, said in full court that Roseboom's request was disallowed and added, "Let the Dead bury their Dead; for with what free conscience can your Precentor go and act for the Lutherans, for they have more ceremonies than the Reformed."—*Doc. Hist. of N. Y.*, vol. 3 (octavo edition), p. 871. On tolcration granted to the Lutherans in the colony of New York see *General Entries*, vol. 1, p. 71; *Court of Assizes*, vol. 2, p. 424; *N. Y. Colonial Docs.*, vol. 2, p. 617.

Contribution & New Election at Hempstead.

The first thing taken into Consideracõn is the Returne from Hempstead of Contribucõn & New Election of Constable & Overseers.

The returne of Constable is for Mr Robert Jackson 39; for Simon Seryon [1] 31 Voyces; To the wch Objection is made by Mr John Hicks [2] [*sic*] & James Pine on behalfe of severall of ye Towne, That Mr Jacksons Votes or the major part of them are of the great Neck, or Mad-Nans Neck,[3] who have small parcells of Land & have noe Relation to the Towne, equall wth ye Ancient Inhabitants, some Lotts being divided into severall Shares.

It is demanded if they are ffree-holdrs and consented to; The determinacõn being left to ye Governor & Councell.

Mr Jackson Capt Seamans [4]

The Present Election is allowed of to bee Constable for the

[1] Simon or Symon Seryon, Searing, Seren, Sering, Sirring, whose son, John, married Susannah, daughter of James Pine, in 1671. He was chosen constable of Hempstead, April 2, 1681; an overseer, April 2, 1683, and justice of peace, in 1685.—*Hempstead Town Records*, vol. 1, pp. 180, 329, 450; *Court of Assizes*, vol. 2, p. 692.

[2] John Hicks, commissioned by both Nicolls and Lovelace as justice of peace in the North Riding of Yorkshire. He married the widow of John Carman or Carrman, Sr., of Hempstead, and through her, in September, 1671, became involved in a suit with Anna Gerretse, over a bargain for land at Newtown, which had been made between the husband of Anna Gerretse and the late John Carman. The will of Hicks was proved, June 14, 1672, and letters of administration were granted to his son, Thomas, on June 17th. It is evident, therefore, that the appearance of his name in the council minutes of June 24, 1672, is a clerical error, and that his son, Thomas, was one of the objectors, as is actually shown by his name in the margin and in the text, subsequently.—*Orders, Warrants, Letters*, vol. 2, p. 435; *Deeds*, vol. 2, p. 19; *General Entries*, vol. 4, p. 48; *Collections* of N. Y. Hist. Society, 1892, p. 23.

[3] At a town meeting of Hempstead, December 14, 1663, "it was agreed upon that Thomas Hickes John Ellison and Thomas Ellison shall have the little neck or poynt of land lying on the east side of Mathew Garrisons bay [named after Martin Gerritsen] which neck is commonly called mad Nans Neck," provided they would "fforth with goe and possess and build upon the said land."—*Hempstead Town Records*, vol. 1, p. 148. For other references see *ibid*, pp. 142, 165, 231, 243; *Deeds*, vol. 2, p. 60.

[4] Captain John Seaman.

ensueing yeare, both Partyes being call'd together, & their Allegations heard, noe materiall Objection being made [105] against it; It is thought fitt ye Inhabitants of Mad-nans Neck shall have their Votes for the Election of Constable & Overseers, they being capacitated by the Law to give their Votes as ffree-holders; for the Proposall of their being a Village abstracted from the Towne of Hempstead, & to have Officers of their own; It shall bee taken into farther Consideration.//

J: Smith. B.[1] Tho: Hicks[2] James Pine.

As to ye Returne of ye Voluntary Contribution towards the Reparation of ye ffort, It being read, It was very well approved of, & Ordered, That Thanks should bee given them for their forwardness therein, the wch is to bee Recorded.

The Returne is ℔ s d 61 : 02 : 00

fflushing Returnes — 20℔: 15s: 06d.

fflushing. ℔ s d 20: 15 6

Thomas Hunt Junr to bee releast upon giving good Security of 200℔ for good Behaviour & Appearance at the next Court of Assizes, when hee is to receive the Sentence of that Court for his Crime.[3]

Tho: Hunt Junr

The Tincker Gerrit Trevis [4] to bee releast upon Security

Gerrit Trevis.

[1] This marginal record is erroneous, and should be "J: Smith. R." John Smith, of Hempstead, familiarly called "Rock Smith," was a tavern keeper. Family tradition says that he got his sobriquet while living in New England, where he built a house in which he used a rock for the back of his fireplace. In his will, dated May 10, 1695, he calls himself "John Smith, Sr., of Hempstead in Queens County, yeoman," and he names his wife, Hannah Treadwell. The will was proved on April 3, 1706, and an inventory of his estate was exhibited by his widow, on October 3d.—Pelletreau. *Wills of the Smith Families of New York and Long Island*, pp. viii, 8; *Deeds*, vol. 2, p. 28; *Collections* of N. Y. Hist. Society, 1892, pp. 326, 419–421. For a sketch of him see *N. Y. Geneal. and Biog. Record*, vol. 30, pp. 200–203.

[2] Son of John Hicks.

[3] He was bound over to the court of assizes of October, 1672, charged with stealing hogs, as shown more particularly in a former note.—*Court of Assizes*, vol. 2, pp. 290, 298.

[4] Gerrit Trevis was bound over by presentment to the court of assizes of October, 1672, by the court of sessions at Jamaica, "upon Suspition of ffelony." He put in a petition at the assizes, "desiring that hee may continue in his Land, & that his Bond bee cancell'd for his Appearance to this Court." It was objected that he had never paid for the land, which "belongs to Mr Hicks," probably John Hicks, of Hempstead. Trevis was ordered to

of fifty pound for the good Behaviour & his Appearance at the Assizes, that hee remove from the Place hee late lived at neare Mrs Bridges,[1] & [en]ter into Engagemt not to entertaine any of her Negroes Servants.

[106] The Matter about ye Regulation of ye Whale ffishing referr'd to Mr Delavalls Determinacõn according to what was proposed at his being there.[2]

Commission for Indyn Affayres to stand in force.

The Commission for ye Indian Affayres soe farr to continue in fforce as shall relate to keep ye Indyans in good Ordr; But as to any Matter of difference of *meum* and *tuum* or Trespasse, That it bee decided by the next Justice of the Peace, and Constable & Overseers of the Towne, where ye Cause of Action shall arise; but if the Action bee of above 5ll they may Appeale to ye next Court of Sessions.[3]

Comnrs about ye Fort Contribucõn.

Commissionrs to bee appointed to receive the Contribution Money towards the ffortifications, & to manage it to the best Advantage for payment of the Workmen.[4]

Comnrs Names.

Their Names are

Tho: Lovelace Esqr[5] Capt Richd Morris[6]

be committed; yet, later in the session of the court of assizes, was released because nothing had been proved against him.—*Court of Assizes*, vol. 2, pp. 290, 298, 312.

[1] Mrs. Charles (Sarah Cornell) Bridges, of Flushing.

[2] Collateral and Illustrative Documents, No. LXXII.

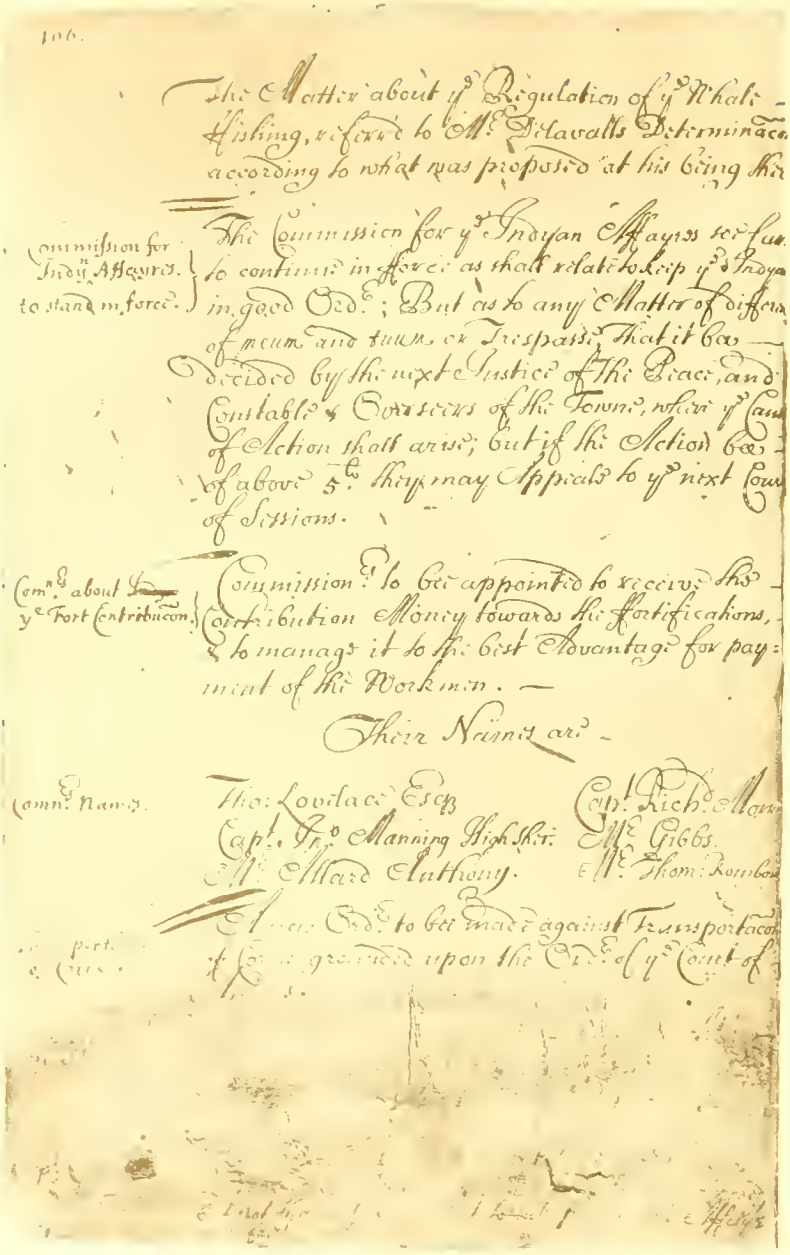
[3] Collateral and Illustrative Documents, No. LXXI.

[4] Collateral and Illustrative Documents, No. LXXV. Lovelace's appeal for contributions from the citizens of New York was read in the mayor's court, on July 3, 1672, and the court "ordered that several of the Cheif Inhabitants should be Listed and desired to appeare in Court next morning." Accordingly, several persons appeared and were bidden to make a voluntary contribution and did so.—*Records of New Amsterdam*, vol. 6, p. 382.

[5] Thomas Lovelace, brother of the governor, was at this time one of the aldermen of New York City.

[6] Captain Richard Morris, of Westchester, and a merchant in New York City. He died intestate, in 1672, soon after his appointment on this commission, leaving an only son, Lewis, an infant. For an account of him and his lineage, see Bolton. *Hist. of the County of Westchester* (1881 edition), vol. 2, pp. 455–478; Riker. *Revised Hist. of Harlem* (1904), pp. 283–284; *American Historical Magazine*, vol. 1 (1906), pp. 25, ff.

Opposite p. 137.



106.

The Matter about y^e Regulation of y^e Whale-
Fishing, referr'd to Mr Delavalls Determinacon
according to what was proposed at his being the

Commission for Indy^n Affairs to stand in force.

The Commission for y^e Indyan Affayrs to con-
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in good Ord^r; But as to any Matter of differ-
of meum and tuum or Trespass that it be
decided by the next Justice of the Peace, and
Constable & Overseers of the Town, where y^e Cau
of Action shall arise; but if the Action be
above 5^{li} they may Appeale to y^e next Cou
of Sessions.

Com^{rs} about y^e Fort Contribucon.

Commission^r to be appointed to receive the
Contribution Money towards the Fortifications,
& to manage it to the best Advantage for pay-
ment of the Workmen. —

Their Names are —

Comm^{rs} Names.

Tho: Lovelace Esq^{r} — Col^{l} Rich^{d} Mor
Capt. Fr^{o} Manning High Shr. — Mr Gibbs.
Mr Edward Cuthony. — Mr Thom: Lombar

Order Ord^r to be made against Transportacon
of Corn granted upon the Ord^r of y^e Court of

Part
of Cur

Read the

A PAGE OF THE COUNCIL MINUTES SHOWING LOWER QUARTER ROTTEN AND WRITING FADED.

(Reduced from $11\frac{1}{2}$ by $7\frac{1}{4}$ inches.)

Capt Jno Manning High Sher.[1] Mr Gibbs.[2]
Mr Allard Anthony.[3] Mr Thom: Rombout.[4]

A new Ordr to bee made against Transportacõn of Corne, grounded upon the Ordr of ye Court of Assizes.[5]

Transportacõn of Corne.

[1] Captain John Manning had been sheriff of New York City from July 24, 1667, until succeeded by Allard Anthony, on October 13, 1670. Lovelace commissioned him high sheriff of Yorkshire, on September 7, 1671, in succession to Robert Coe, until June 30, 1672, and again until June 30, 1673. He held other posts of great responsibility in New York City, on Long Island and at Albany, during the administrations of Nicolls and Lovelace. In February, 1668, Nicolls granted to him Hog Island, which became known as Manning's Island, and is now called Blackwell's Island, in the East River of New York City.—*Orders, Warrants, Letters*, vol. 2, pp. 176, 215, 216, 227, 243, 434; *Records of New Amsterdam*, vol. 6, p. 201; *Court of Assizes*, vol. 2, pp. 409, 421–422, 429, 571, 598; *General Entries*, vol. 4, pp. 26, 201; Brodhead. *Hist. of N. Y.*, vol. 2, pp. 45, 46, 74, 87, 138, 182.

[2] Thomas Gibbs or Gybbs was a merchant of New York City.

[3] Allard Anthony had been a schepen and schout of New Amsterdam. On June 12, 1665, he was appointed by Governor Nicolls the first sheriff under the new form of government for New York City. He had taken the oath of allegiance and was made a free denizen on the preceding January 16th. Anthony was sheriff until succeeded by Captain John Manning, on July 24, 1667, and he, in turn, succeeded Manning as sheriff, on October 13, 1670, and was in that office when appointed a member of the commission for receiving contributions for the repair of the fort.—*General Entries*, vol. 1, pp. 121, 139; vol. 4, pp. 53, 220; *Court of Assizes*, vol. 2, pp. 429, 598; *Orders, Warrants, Letters*, vol. 2, pp. 75, 161, 176; *Records of New Amsterdam*, vol. 6, pp. 261–262; Brodhead. *Hist. of N. Y.*, vol. 1, p. 548.

[4] This is a clerical error for Francis or François Rombout or Rombouts, who was appointed an alderman of New York City, on October 13, 1672.—*General Entries*, vol. 4, p. 220. The correct name appears in the commission, for which see Collateral and Illustrative Documents, No. LXXV. Rombouts married Aeltje Wessels, on May 31, 1665.—*Records of R. D. Church, Marriages*, p. 31.

[5] Collateral and Illustrative Documents, No. XLI. At the following court of assizes, October, 1672, it was ordered, "That ye Prohibicõn for ye Transportation of Corne for this yeare bee repealed; & it shall bee lawfull for any Man to transport Corne to Boston, or any place out of the Governmt, as long as the price of Merchantable Winter Wheat shall be 4s : 6d & Summer Wheat 4s in Silver or above, but not under that price, upon the penalty of forfeiting the Value of what they shall soe dispose of; And what Strangers shall come to purchase Corn here, they shall not buy it under 4s & 3s : 6d in Silver, or Goods Equivalent upon like Penalty."—*Court of Assizes*, vol. 2, p. 323.

Gravesnd & Vtrecht Bounds.

The Bounds of Gravesand & New-Vtrecht; [1] Commissionrs to View & Report to ye Governor to bee consider'd of another time in its due Season.

Capt Carteretts Letter.

The Lettr to Capt Carterett [2] & his Answr read & considered of; The Lettrs Ordered to bee Recorded, but not thought convenient to interpose in the Affayre any further.[3]

The Ordr about ye Election of Constab: & Overseers at Hempstead.

[107] In prosecuc̃on of ye Ordr of ye late Cort of Sessions held at Jamaica for a new Election of Constable & Overseers for the Towne of Hempstead, the Returne whereof was to bee made to his Honor the Governor for his Approbac̃on; The Inhabitts having accordingly proceeded therein, & made their Returne, wherein Mr Robert Jackson late Constable there hath the major Vote to continue in that Employment for the yeare ensueing; Against the which severall Objections being made by Mr Thomas Hicks & James Pine on the behalfe of themselves & others of the Towne, In regard severall of ye Voices given for him were of the Inhabitants of Mad-Nans Neck, who were supposed not to have Priveledge to give their Votes as to Election of those Officers; Vpon hearing the Matter debated, & ye severall Allegations on both sides, The said Choice and Election is allowed & approved of, as also that John Smith Rock Senr & Jno Carrman [4] bee Overseers, having likewise the major Vote; The Objections being not adjudged sufficiently materiall to debarr the Inhabitants of the Neck aforesaid of their Votes in Election of the Towne Officers, since that they are freeholders, & have dependance on the Towne, within whose Lymits & Jurisdiction they are. As to the Proposall of their being

[1] On the dispute over boundary, see *General Entries*, vol. 1, p. 38.

[2] Captain James Carteret.

[3] Collateral and Illustrative Documents, No. LXXVII.

[4] Son of John Carman or Carrman, deceased. His father was one of the six persons to whom Director General Kieft granted a patent for the Hempstead lands, on November 16, 1644 (N. S.).—*Deeds*, vol. 2, pp. 129–134; vol. 3, pp. 100–104; *Hempstead Town Records*, vol. 1, p. 7

made a Village abstracted from the Towne, & to have Officers of their own, there being noe Addresse made for the same, & the Convenience or Inconvenience thereof not appearing, It lyes not under this pr̃sent Consideracõn.

By Ordr &c:

[108] The Returne of the Inhabitants of Hempstead as to their Voluntary Contribucõn towards the Reparation of the ffort [1] being pr̃sented to the Governor & read; It was very well approved of, And Ordered that Thanks should bee given them for their good Example & forwardnesse therein, the which is to bee Recorded. Hempstead Contribucõn. The Ordr

By Ordr &c:

At a Councell held at Fort James, July ye 1st 1672.

Present

The Governor
Cap: Delavall
Cap: Steenwijck
The Secretar̃

About ye Contribucõn of ye City towards the ffortification, The Governor will please to write a Letter To morrow to the Court, Vpon ye Consideracõn whereof, It shall bee determined how & what manner to propose & direct the most convenient way to raise a Contribution.[2]

The Lettr of Returne from ye East end of Long Island about a Contribucõn towards the ffortificacõns.[3]

[109] The Governor will make Answr to their Lettr, wherein

[1] Collateral and Illustrative Documents, No. LXXV.

[2] Collateral and Illustrative Documents, No. LXXV. The reference to "Court" is, of course, to the mayor's court of New York City.

[3] *Ibid.*

hee will take Notice of the meannesse of their Contribucon & the seeming Condition of it.

Whore-Kill. The Businesse of the Whorekill about a disturbance there from Maryland.[1]

Mr ffletcher[2] makes good by word of Mouth what hee sett his hand to against Daniel Browne[3] for his Abusive Language against the Dukes Interest.

It is Attested by the Commissaryes & others from thence.

Ordered, That Daniel Browne shall Enter into a Recognizance of 20li for ye good Behaviour &c: wch Order was as followeth —

The Ordr upon Dan: Brown. WHEREAS Daniel Browne a Planter at the Whore-Kill in Delaware Bay was Committed & sent a Prisoner hither by ye Magistrates there for contemning ye Authority of their Court held by Approbacon of the Governor, under the protection of his Royall Highness together wth severall other Abuses & Misdemeanors, for the wch hee hath exprest a great deale of sorrow, acknowledging his ffault, wth Promise of deporting himselfe better for the future. And the said Daniel Browne alledging it will bee his Ruine, if hee returne not back speedily to his Habitacon, both in regard of a Crop[pe] of Tobacco hee hath [110] & some Corne wch will bee all lost without his Attendance on it, and Care thereof; The Premisses being taken into Consideracon, It is Ordered, That a Letter of Thanks bee sent to the Magistrates at the Whore-Kill for their Vigilancy & Care herein, & likewise

[1] Collateral and Illustrative Documents, No. LXX.

[2] Notwithstanding considerable effort, the identity of this Fletcher has not been determined.

[3] A tract of land was laid out for him, subsequent to his release, "upon pagans Creeke neare the Whor Kill," which was called Tower Hill.— *Original Land Titles in Delaware*, p. 85. See also Brodhead. *Hist. of N. Y.*, vol. 2, p. 190. He was under-sheriff and constable at the Whorekill, in 1674–1675.— *N. Y. Colonial MSS.*, vol. 20, p. 138. In 1679 he received an irregular license to marry Susan Garland, widow, although he was accused of confessing that he had a wife living in England.— *Ibid*, vol. 21, p. 62.

that the said Daniel Browne be releast from his Imprisonm^t, hee Entring into a Recognizance before his departure of 20^li to bee of the Peace and the good Behaviour towards his Neighbours, & towards all his Mã^ties Subjects & Leige People, the w^ch if hee presume to breake that hee bee then againe seized upon & sent Prisoner to this Place, there to receive Condigne Punishm^t according to the Nature of his Offence over & above the Sume afore-mentioned to bee Levyed upon his Goods & Chattells, if soe much shall happen to bee found. And the said Daniel Browne is likewise at his Returne to acknowledge his ffault, & ask pardon of the Magistrates at the Whore-Kill for his Misdemeano^r

By Ord^r &c:

Whorekill Request.

As to y^e Request from the Whore-Kill to repayre their Losses & Damages susteyned by y^e Privateers, that they may lay an Imposition upon Strong Liquo^rs sold there. This Order was made.[1]

The Answ^r or Order thereupon.

The Request of y^e Magistrates at the Whorekill being taken into Consideracõn, wherein t[h]ey desire, that for reperacõn of the Damages & [111] Losses they susteyned by the Privateers the last Winter, they may bee permitted to lay an Imposition upon Strong Liquo^rs, It is allowed of & consented unto, and the Magistrates there have hereby power to Levy & receive upon each Anckor of Strong Liquo^rs spent or disposed of amongst them the Value of foure Guild^rs in Wamp^m, & this to continue for one yeare only after this shall come to the said Magistrates hands, untill the Conveniency or Inconveniency thereof shall better appeare.

By Ord^r &c.

[1] Collateral and Illustrative Documents, No. LXX.

The Bakers Request. The Bakers Request about goeing to Milford to grinde Corne,— had this Order thereupon — [1]

The Answr & Order. Vpon the Request of severall of the Bakers of this City, That they may have Liberty to send their Corne to the Mill, at Milford, or some other Places, out of this Government, In regard that they cannot have sufficient quantityes of Corne ground nearer home to supply their prsent Want for ye Shipping outward bound & such like Occasions; It is thought fitt, That their Request shall bee granted at this particular Juncture of time, Provided That they Enter into Bond to the Collectr of the Customes,[2] & give Security that they shall bring back in ffloure or Meale the whole Produce of such Corne they shall carry out of the wch the Haven-Master [3] is to make Inspection. But if it shall hereafter [112] bee made appeare that they doe fraudulently Convey the Corne elsewhere, then they shall bee lyable to such Censure & Penalty as in the Act of the last Genall Cort of Assizes touching the Prohibiçon of Transportation of Corne is sett forth.

By Ordr &c:

Mr Paine. Mr Paines Busynesse & Dispatch. In Answr to their Lettr.[4]

The first part is effected in recommending Assistance to

[1] Collateral and Illustrative Documents, No. XLI.

[2] Cornelis van Ruyven was collector of customs; Isaac Bedlow was comptroller of customs, and Nicholas Bayard was surveyor of customs. For their respective duties see *N. Y. Colonial MSS.*, vol. 22, pp. 51–53. The "packhuijs" or storehouse of the West India Company became, after the capture of 1664, the custom house of the English administration.—Innes. *New Amsterdam*, p. 53.

[3] Philip Johns.

[4] Collateral and Illustrative Documents, No. LXXVIII. John Paine and Prudence Island, in Narragansett Bay. *Cf.* Brodhead. *Hist. of N. Y.*, vol. 2, pp. 188–189. Paine came over with Governor Nicolls as a soldier in Colonel George Cartwright's company, in 1664. He received his discharge from regular military service, on April 18, 1665.—*General Entries*, vol. 1, p. 110.

bee given to Mr Paine in his Discovery. The latter part is to bee Answered.

In ye meane time to bee suspended till Mr Paine gives in his further Proposalls & Resolutions.

Mrs Nevius Peticon; It's granted. The old Condicons to bee observed punctually as her Husband had it. An Ordr thereupon — vizt Mrs Nevius Peticon.

The Peticon of Ariantie Bleeke ye Widdow of Joannes Nevius deceased who lately held the fferry from Island[1] to this City, being taken into Consideracon wherein shee desires, In regard of the great Charge & Expence her Husband had been at in providing sufficient Boates & other Necessaryes about the fferry, as also of the great paines & Labour hee was at to give Satisfaction to all persons, & having now left the Peticoner a [dis]con[sol]ate Wi[d]dow wth six small helplesse [113] Children, That two yeares time of the Six being expired, his Honor would bee pleased to renew the Lease of the said fferry for six yeares after ye Date hereof unto the Peticoner her Heyres or Assignes, upon the Conditions & Termes her said late Husband was to have the same; The Request of the said Widdow is hereby Granted, & it is allowed of, & is at her Liberty (if shee see Cause) to dispose of her time in the said fferry for six yeares to come to any person or persons fitt & capable to maintaine the same; that said Person or Persons performing ye Conditions or Termes made by the said Johannes Nevius deceased, & behaving himselfe diligently & carefully in the said Employmt as hee ought to doe, & as becomes the Trust reposed in him. The Ordr & Answer.

By Ordr of the Governor & Councell —

The Agreemt between Newtowne & Boswijck before Mr Delavall, Mr Nicolls, & Capt Jacques Cortelijau, To bee Confirmed.[2] The Agreemt of Newtown & Boswick.

[1] Long Island.

[2] Collateral and Illustrative Documents, No. VIII.

Lre from Cap Carterett &c:

A Lett^r from Cap^t Carterett [1] about a Suspicion of a Plott amongst y^e Indyans to cutt off y^e English & to fall upon New Yorke: It is related by a Woman, who pretends shee heard some Indyans discourse it.

[114] That a Lett^r of Thanks bee return'd to Cap^t Carterett for his sending; And that an Eye bee had over the Motion of the Indyans.//

At a Councell held at Fort James in New Yorke y^e 6^th day of July 1672.

Pres^t

The Governo^r
Cap^t De-Lavall
Cap^t Steenwijck
The Secretar̃.

The Declaracõn of Warr.

His Ma^ties Lett^r & Declaracõn about the Warr being read.[2]

When to bee publisht.

Tuesday next about 10 or 11 of y^e Clock before Noone is appointed to make Proclamation of the Warr at the ffort-Gate & State house.[3]

As to y^e Paragraph of seizing upon y^e Ships, Goods & Estates belonging to the States Geñ^all there, that the best Method shall bee considered of, & putt in Execution in due Season.[4]

Time to fortify.

To y^e Point of putting y^e Place & Countrey into a [p]osture of Defence, In regard of the danger [115] that may bee

[1] Captain James Carteret.

[2] Collateral and Illustrative Documents, No. LXXIX.

[3] On July 9th, the mayor's court of New York City received an order from Lovelace, "together with a Declaration of Warr ag^st the States General of the United Provinces, dated at Whitehal the 4^th [*sic*] of April 1671/2, to declare & Publish Warre against the s^d States, according to the Tenn^r of s^d declaration; Which this day accordingly is done from the State house in this Citty."—*Records of New Amsterdam*, vol. 6, p. 382.

[4] Collateral and Illustrative Documents, No. LXXIX.

expected by Shipps preparing for the West Indyes from Holland & Zealand;

The former Resolutions of the ffortifying this place to bee Vigorously prosecuted.[1]

To follow such Directions as shall bee sent from his Royall Highness, when they come.//

To Consider of some Persons to bee Added to the Councell—[2] Councell to bee enlargd.

At a Councell held at Fort James
Sept. 6th 1672.

Pres.
The Governor
Capt Delavall
Capt Steenwijck
The Secretary.

What past about Delaware, ye Whorekill,[3] & Mr Paine both as to ye Massachusetts & Rhode Island,[4] discourst, read, & Approved of. sevrall things read.

That it bee left to Mr Delavall in his goeing to Boston to call in at Rhode Island & make [116] Enquiry about yr Matter, & when there to discourse & reason the Case with them, about Mr Paines[5] Imprisonment, & binding over in a Recognizance, of wch to make Report at his Returne.// Mr Paine as to his Imprisomt at Rhode Islandd.

The Commissaryes Letter about ye handling at Schanechtide[6] was taken into Consideration; It was brought downe Schanechtide about handling.

[1] Collateral and Illustrative Documents, No. LXXV.
[2] The council seems not to have been enlarged.
[3] Collateral and Illustrative Documents, No. LXX.
[4] Collateral and Illustrative Documents, No. LXXVIII
[5] John Paine.
[6] Collateral and Illustrative Documents, No. LXXX. For an earlier order, June 7, 1669, prohibiting trading with Indians at Schenectady, see *Orders, Warrants, Letters*, vol. 2, p. 431.

by Cap^{t} Salisbury;[1] There was also two Requests, one from Schanechtade, 'tother from Albany, brought by M^{r} Delavall made to him & the Commissaryes, when above wth the Appostill's thereupon.

An Ord^{r} for Schanechtide.

For Schanechtide, It is Ordered —

That for Redresse of small Grievances by Trespass, Debt or otherwise, They shall have a Towne Court to try all such Causes to the Value of one hundred Guild^{rs}, the persons who shall try the same to bee two to bee nominated by the Governo^{r} out of three to bee chosen amongst themselves annually; but for greater Sum̃es to have Application as formerly to the Co^{rt} of Commissaryes at Albany;[2] As to the Matt^{r} of Trade with Indyans or others there, they are to bee Reguated by the Ord^{rs} made by the Governo^{r} & Councell the last Summer at Albany till further Ord^{r}

An Ord^{r} for Albany.

For y^{e} Inhabit^{ts} of y^{e} lower part of Albany, about their having a New House built upon the Common by the South-side of the Towne, for the Mahicand^{rs} Indyans, & others that shall come th[e]re, It is thought fitt & Ordered That Liberty [117] bee granted to y^{e} Inhabit^{ts} of y^{e} lower part of the Towne to Erect such a House to y^{e} East of y^{e} South-Gate upon the said Common in some Convenient place to bee laid out by Cap^{t} Salisbury and the Commissaryes, but

[1] Captain Sylvester Salisbury. He had succeeded Captain John Baker, in July, 1670, as commander of the fort at Albany. On October 1, 1672, he was commissioned "Justice of the peace at Fort Albany, & parts adjacent." — *General Entries*, vol. 4, p. 213. Salisbury was granted a marriage license, on January 10, 1669/70, to Elizabeth Beek, sister-in-law of Pieter Jacobsen Marius. His will, dated August 26, 1679, mentions his wife and three children, and his widow was confirmed as executrix, March 12, 1680. She was afterwards married to Dr. Cornelis van Dyck, of Albany, and after his death was married a third time, to Captain George Bradshaw, whom she also survived.— *Court of Assizes*, vol. 2, p. 450; *Collections* of N. Y. Hist. Society, 1892, pp. 66–67, 207, 211, 292, 356; Pearson. *Early Records of Albany*, pp. 69, 97.

[2] Jan Hendrickse van Bael and Gerrit van Slichtenhorst were at this time commissaries of Albany.

not that hereby any Persons doe presume to Erect Handling Houses or Hutts there, upon this or the like prtext.

And that ye Ordrs heretofore made for ye Hutts on the Hill [1] to bee Erected into Dwellinge Houses bee putt in Execution, soe that they bee Inhabited both Winter & Summer; Withall that those who leave them in the Winter shall not bee permitted to handle there in the Summer.//

Mr Smith of Nesaquake.

The Peticon of Mr Smith to bee referr'd to the Assizes [2] — as by ye following Ordr &c:

Peticon.

Vpon ye Peticon of Richd Smith of Nesaquake, That for severall Reasons by him given hee might have a Review or Rehearing of his Case between him & the Inhabitants of Huntington, there appearing many Difficultyes therein, for that it had before been heard in two diverse Courts; It was Ordered that it bee referr'd to a full Bench at the Generall Court of Assizes to give their Judgment & Opinion therein, whither their Case shall have a Re-hearing or noe upon ye Reasons & suggestions given in, Whereunto both ye said Richd Smith & the Inhabitants of Huntington are to stand and abide.

The Ordr thereupon.

By Ordr &c.

Mr Richbells difference. Report made thereof.

[118] The Reports of Mr Lovelace & Capt Manning about Mr Richbells Difference with his Neighbors, & their Reconciling it Allowed of.[3]

Mr Ridr & Mr Gibbs.

Mr Riders & Mr Gibb's the like at ffordham.[4]

[1] "Along Broadway and State street, which was called the Hill."— Pearson' *Early Records of Albany*, p. 13.

[2] Collateral and Illustrative Documents, No. XXV.

[3] Collateral and Illustrative Documents, No. LXXXI. Captain John Manning, Thomas Lovelace and John Rider had been appointed by the governor to report on this case.

[4] Collateral and Illustrative Documents, No. LXXXII; also No. III. John Rider and Thomas Gibbs had been chosen by the governor to report on this case. On April 10, 1673, John Rider was sworn steward of the Manor of Fordham, "duly to Administer Justice" there.— *General Entries*, vol. 4, p. 278.

Tho: Petit about a Divorce.

Thomas Pettit's Businesse about a Divorce to bee deferr'd till his wife bee brought to make Answer.[1]

Countrey Rates to continue as before.

As to y^e^ New Countrey Rate for y^e^ yeare ensueing — Notwithstanding Delaware Charges yet only to Continue the 1^d^ in the po^d^ as before, in regard of the Voluntary Contribution lately made &c: but that it bee recommended to y^e^ Co^rts^ of Assizes & Sessions to moderate the Expences; And at the Assizes to take off Wolves and Hue & Cryes.[2]

The House in y^e^ Fort at Albany to bee repaird.

An Ord^r^ for y^e^ Reparacõn of y^e^ House in the ffort at Albany & a New Kitchin discourst of by M^r^ Delavall to the Governo^r^ in Councell, allow'd of.— Vide y^e^ Order.// [3]

[1] Collateral and Illustrative Documents, No. LXXXIII. Thomas Petit, Petitt, Pettit, of Newtown, L. I., charged his wife, "Sarah Perry als Pettit," at the court of assizes, in October, 1672, with "frequent committing of Adultery, w^ch^ before diverse persons shee hath had the Impudence to avow without any apparent Cause given by her husband, for the w^ch^ hee hath made Suite that hee may bee divorced from her; And there having been Proofe made in Co^rt^, That y^e^ s^d^ Sarah Wife of y^e^ said Thomas had Legall Summons & timely notice to make her appearance in this Co^rt^ in her Defence if shee had any thing to say in her Justificacõn against what shee stood accused of, but hath either refused or neglected to doe the same; The Premises being taken into Consideracõn, and the Proofs & Evidences appearing very plaine against the said Sarah, The Co^rt^ doth adjudge & think it reasonable that the said Thomas Pettit should have a Bill of Divorce from the said Sarah his Wife, the w^ch^ the Co^rt^ doth recommend to y^e^ Governo^r^, & doe likewise Order, That whensoever y^e^ said Sarah shall bee found within this Governm^t^, shee shall bee committed to Prison, there to remaine untill the next Co^rt^ of Sessions or Assizes, when shee shall bee prosecuted & receive punishm^t^ as the Law doth direct for the Crime of Adultery." Before this decision has been rendered, the complaint had been referred "to some of the Bench to examine into, & report their Judgm^ts^ hereupon." The husband, of course, was granted an absolute divorce.— *Court of Assizes*, vol. 2, pp. 291, 299, 316.

[2] At the court of assizes, of October, 1672, the rates were modified for the several towns on Long Island, wolves being "discounted w^th^ y^e^ Constables within whose limitts" they were killed.— *N. Y. Colonial MSS.*, vol. 22, p. 142 (Article 2).

[3] Collateral and Illustrative Documents, No. LXXXIV.

[119] At a Councell held at Fort James in New York the 19th Novem: 1672.

Present

The Governor
Mr Steenwijck
The Secretary.

The Matt^r first under Consideracon was the Complaint & Petitions of John Jennings [1] & William Jane of Southon about Jn^o Coopers Evill Words against the Governm^t, & Cap^t Howells [2] & M^r Mulfords [3] Justification of what they have done.[4] Jn^o Jennings & W^m Jane ags^t Jn^o Cooper.

A Peticon brought in by Jn^o Jennings about his being bound over to the Sessions.

Another from William Jane to y^e same Purpose.

The Deposicons of William Jane & Thomas Travally [5] read, about Jn^o Coopers Scandalous Words.

William Jane sworne to it here, there being Supposition the former Oath before Jn^o Jennings to bee invalid, hee being not an Officer capacitated for it.

Thomas Travally not p^rsent here, but y^e Justice is to bee sent to for his Oath likewise.

[1] John Jennings " of North-Sea within y^e Jurisdiction of South-Hampton " was " Marshall & Cryer at y^e Court of Sessions," in the East Riding of Yorkshire for several years and received Lovelace's confirmation in the post, August 11, 1671.—*General Entries*, vol. 4, p. 13. For an order increasing his fees as marshal, October 17, 1672, see *ibid*, p. 219. For the family history see Howell. *Early History of Southampton, L. I.*, second edition, pp. 330, ff.

[2] Captain John Howell, of Southampton, L. I., one of the justices of peace for the East Riding of Yorkshire. For the genealogy see Howell's *Southampton*, second edition, p. 302.

[3] John Mulford, of East Hampton, L. I., one of the justices of peace for the East Riding of Yorkshire.

[4] Collateral and Illustrative Documents, No. LXXXV.

[5] The name is spelled variously in the records, as Trevaly, Trevally, Trovally.— *Records of Southampton*, vol. 2, pp. 92, 257, 262, 263, 329. See also Howell's *Southampton*, second edition, p. 439.

Concerning ye wch & ye other Deposicons against John Cooper. This Ordr was made vizt

The Ordr about Jno Cooper.

Vpon Perusall & Consideracon had of the Testimonyes of William Jane & Thomas Travally [120] wherein is sett forth that Jno Cooper hath spoken words tending to ye Defamation of ye Governor & this his R: Hs his Governmnt, the wch the sd Wm Jane hath been sworne to before ye Governor & his Councell, It is Ordered, That the Oath of Thomas Travally bee taken likewise to his Testimony by the Justice of ye peace at Southton, & that Jno Cooper bee bound over to make Answr to what shall bee layd to his Charge about this Matter at the next Cort of Sessions; where if what shall bee alledged against him doe appeare to bee true, That then hee bee bound over by that Cort to the Court of Assizes, of all wch an Account is to bee Rendred unto his Honor ye Governor//

By Ordr &c:

Wm Brawley's Deposicon.

Wm Brawley that came from thence in Capt Delavalls Ketch [1] when Capt Wasslyn was there, can testify the same that Thomas Travally hath declared concerning the charge against this Cooper.

Jno Jennings Customer.

Jno Jennings recommended to bee Customer at Southton wth Jno Laughton.[2]

Edwd Petty ye like.

Edward Petty of Southold [3]

[1] The name of the ketch was "Rebeckah."

[2] Collateral and Illustrative Documents, No. XXIX. John Laughton received a license from Governor Lovelace, on June 19, 1669, for one year, to pay Indians in liquors and powder for their labor in whaling operations. This license was renewed from time to time, among the renewals being that of November 20, 1672, when John Jennings received a like license, jointly with Laughton.— *Orders, Warrants, Letters*, vol. 2, p. 440; *General Entries*, vol. 4, pp. 20, 232. The instructions of Laughton, as sub-collector of Southampton and places adjacent, in 1670, are in *Court of Assizes*, vol. 2, p. 552. In *Records of East-Hampton*, vol. 1, p. 380, we find one John Laughton appointed, on August 10, 1675, schoolmaster of that town.

[3] Collateral and Illustrative Documents, No. XXIX. Edward Petty was granted a home lot from the town of Southold, on February 3, 1658/9 He

Wm Perkins the like.

Wm Perkins of East-Hampton.[1]

Capt Howell's Commisn renewd.

Capt Howells Commission to bee renewed for one yeare more.[2]

Mr Jennings' Bargaine.

Mr Jennings Busynesse about his Bargaine to bee [h]eard at ye Sessions.

Isaack Melijen & ye Ship Expectation [*sic*]

[121] Mr Melijen's Peticon about ye unloading of his Ship [3] to see what Damage is done, that it may bee determined here, being taken into Consideracon hath this Ordr thereupon —— vizt

The Ordr about Melyen & his Vessell.

Vpon a Peticon prferrd to the Governor & Councell by Mr Isaack Melijen, That hee may have Lycence to unload his Ship, soe that a prsent Value may upon equall Charge bee putt upon ye Damage the Goods on board his Shipp may have receiv'd by the late Casualty of ye Sea, shee having sprung a Leake; It is Ordered That ye Difference between the Ownrs & ffreighters concerning the said Damage shall bee tryed & determined here in this Place where it was receiv'd; In Ordr whereunto It is recommended to foure able & indifferent Persons who are desired to Examine & make Inspection into the Matter aforesaid, & if possible wth their best Skill & Judgmts to Endeavour a Composure; But in case they cannot make an Accord between them, That then they forthwith transmitt ye Matter back againe to ye Governor & Councell, who will make such Determination therein as shall bee consonant to Equity & good Conscience.

By Ordr &c:

was a ship carpenter, in which trade several of his sons followed him. About 1688, he sold his house and land and removed to Oyster Ponds, now Orient, in the town of Southold, settling on a farm.— *Town Records of Southold*, vol. 1, pp. 82, 314, 342.

[1] Collateral and Illustrative Documents, No. XXIX. [2] *Ibid.*

[3] Collateral and Illustrative Documents, No. LV.

The persons desired to take this trouble upon them are Mr Jno Laurence [1] Mayor of this City, Capt Isaack Bedloo [2] Alderman, Capt Johannes Van Brugh,[3] & Mr Jacob Leysler,[4] who are to meet about it wth all convenient Expedition to avoid Demurrage.

[1] John Laurence was one of the first group of aldermen appointed by Governor Nicolls, under the new form of government for New York City, on June 12, 1665, and sat in the board until the end of the administration of Nicolls, in August, 1668. By appointment from Governor Lovelace, he was a member of the board, from October 9, 1669, until October 13, 1672, on which date he was commissioned as mayor of the city for one year, but his term was cut short by the surrender of the city to the Dutch in 1673. During his last aldermanic term, October 13, 1671, until October 13, 1672, Laurence held the title of deputy mayor. His will was proved, May 15, 1699, and letters of administration were granted to his widow, Susannah.— *General Entries*, vol. 1, p. 121; vol. 4, pp. 53, 220; *Orders Warrants, Letters*, vol. 2, pp. 75, 161, 176, 215–216; *Court of Assizes*, vol. 2, pp. 261, 294, 331, 421, 429, 571, 598; *Records of New Amsterdam*, vol. 6, pp. 201, 261–262, 333; *Collections* of New York Hist. Society, 1892, p. 307; *Historical Genealogy of the Lawrence Family*. New York, 1858, pp. 21–22.

[2] Isaac Bedlow, Bedloo or Bedloe, was an alderman of New York City from July 24, 1667, until October 9, 1669; again from October 13, 1670, until his death in February, 1673, and was succeeded by Oloff Stevensen van Cortlandt, on March 11th of that year. He was commissioned, on May 1, 1668, "Comptroller of his Maties Customes for this Port of New York, & ye rest of his Royal Hes Territoryes," continuing in that post under Lovelace. On August 19, 1670, Lovelace gave the new name of "Love Island" to a "Certaine Little Island in ye Bay neare this Citty comonly called Oyster Island," for which Bedlow had had "a Patent graunted by Coll Richard Nicolls," and the island was made "a Priviledged place where no warrant of Attachmt or arrest shall be of force or be served unlesse it be by ye governors spe[c]iall warrant in Cases of breach of ye peace or Cryminall Matrs" This is the island yet known as Bedloes Island, in New York harbor. He died intestate. A commission was appointed, on April 10, 1673, "to supervize, State, & Audit" his books and accounts, and, on August 9, 1675, his widow, Elizabeth, daughter of Cornelis de Potter, having been sued by some of his creditors, was upon her application appointed administratrix.— *Orders, Warrants, Letters*, vol. 2, pp. 176, 215–216, 227, 298; *Records of New Amsterdam*, vol. 6, pp. 261–262, 333; *Court of Assizes*, vol. 2, pp. 409, 576, 603, 633, 687; *General Entries*, vol. 4, pp. 33, 47, 53, 166, 194, 220, 268, 276; *Collections* of N. Y Hist. Society, 1892, p. 30; Brodhead. *Hist. of N. Y.*, vol. 2, p. 168; Innes. *New Amsterdam*, p. 49; *Joannes Nevius and his Descendants*, pp. 81-84.

[3] Captain Johannes Peterse van Brugh.

[4] Jacob Leisler.

[122] At a Councell held in Fort James. Novem: 22th 1672.

Present

The Governor
Capt Tho: Delavall — Mr Mayor [1]
Capt Cornelis Steenwijck.
The Secretary.

The Matter taken into Consideracõn was the Matter of Mr Smith & Huntington,[2] occasioned by Mr Woods[3] bringing hither Thomas Benedict [4] & Henry Whitney,[5] who appeared. Richd Smith, & Huntington.

Their first Testimony produced, to ye wch ye said Benedict & Whitney were Sworne, It is deliver'd in, & read.

Thomas Bennedict declares what their Explanation was, vizt not of Land but Meadow & Herbage bought, wch appeares upon Record.

A Copie of the first Testimonyes read also.//

Mr Benedict & Mr Whitney doe Declare That the Originall Testimonyes now given in by them in Writing, sworne to before Richard Olmstead Commissionr, is the very same Writing sent by them formerly to the Inhabitants of Huntington, & that they sent noe other. Mr Benedict & Whitney — Deponents in ye Case.

[1] Those present were Governor Lovelace, Secretary Nicolls, Mayor John Laurence, and the former mayors, Delavall and Steenwyck.

[2] Collateral and Illustrative Documents, No. XXV.

[3] Jonas Wood, of Huntington, L. I., justice of peace, having been commissioned by both Nicolls and Lovelace to that office.— *Orders, Warrants, Letters*, vol. 2, p. 434; *Deeds*, vol. 2, p. 19. See also *Huntington Town Records*, vol. 1, pp. 6–7, 46, 63, 148–149, 185, 503.

[4] Thomas Benedict, of Norwalk, Conn., and formerly a resident of Huntington, L. I. See *Huntington Town Records*, vol. 1, pp. 8, 23, 37, 87. See also *Benedict Genealogy*, by Henry M. Benedict, and Whitaker. *Hist. of Southold*, p. 51.

[5] Henry Whitney, of Norwalk, Conn., and formerly a resident of Huntington, L. I. See *Huntington Town Records*, vol. 1, pp. 16, 19, 30, 32, 66; Phoenix. *Whitney Family of Conn.*

That y^e^ Copie thereof now produced Attested by M^r^ Wood & Isaack Platt [1] is the very same was by them shewn to M^r^ Smith, when hee was at Norwalk with them.

[123] The w^ch^ being much prest by M^r^ Smith, That M^r^ Benedict should bee Sworne to the Truth thereof, hee being unsatisfyed that it was the same; Hee was accordingly Sworne to it before the Governo^r^ & Councell, in the presence of M^r^ Smith his Wife & others.

M^r^ Melijen againe.

M^r^ Melyen's Peticon taken againe into Consideracon, M^r^ Mayo^r^ & the rest having brought in their Report, y^t^ they could not accomodate y^e^ same,[2] this following Ord^r^ was made —

The last Ord^r^ of Councell upon it.—

WHEREAS — Vpon a Peticon p^r^ferr'd by Isaack Melijen to y^e^ Governo^r^ & Councell upon the 19^th^ day of this Instant Month about Liberty to unload his Ship, that the Damage might bee adjudged here, The Matt^r^ was referrd to y^e^ Examinacon & Inspection of M^r^ Mayo^r^, & some other able & indifferent persons to endeavour a Composure of the Difference between y^e^ Own^rs^ & ffreight^rs^, of w^ch^ Report hath been made back unto y^e^ Governo^r^ that they could not attaine thereunto; The Petition afore-menconed & whole meritts of the Case being taken into serious Consideracon, It is Ordered that the Petn^r^ Isaack Melijen shall have Liberty to unload his Shipp in this Port, to the End what Damage the ffreight^rs^ Goods have receiv'd, may bee viewed & adjudged; And in the Vnloading y^e^ ffreight^rs^ are desired to bee ayding & Assisting unto the [124] Own^rs^ or Mast^r^ in

[1] Isaac Platt, often called Plott in the records, was a son of Joseph Platt, of Barrington, a village near Hartfordshire, England. He and his brother, Richard, removed from Milford, Conn., to Huntington, in 1666, where he became an overseer, in 1671, and constable, in 1679.— Pelletreau. *Records of Town of Smithtown, L. I.*, p. 473; *Huntington Town Records*, vol. 1, pp. 44, 46, 93, 145–146, 178, 188; 243, 344.

[2] Collateral and Illustrative Documents, No. LV.

taking Notice & Acct of their Goods as they shall bee removed. It is likewise Ordered, That if it shall appeare that the Damage the Goods or Merchandize hath sustayned on board hath arisen, either from the Insufficiency of the Vessell before shee sett forth upon her Voyage, or by the Willfull neglect of the Owner, That then hee shall pay ye whole Charge, & such Damage as the Goods shall bee adjudged to have receiv'd, but if it shall happen to bee found otherwise, and that ye Leake sprung by Casualty of the Sea's or extraordinary Stress of Weather, That the whole Charge & Damage shall bee borne & supported by an *Avery Grosse* according to the Customes in such Cases provided.//

By Ordr &c:

The Goods may bee putt in the Kings-Warehouse, & the ffreightrs are desired to bee ayding in Observing the Markes of their Goods.

[125] At a Councell held in Fort James, Janry 27th 1672.

Present

The Governor
Mr Tho: Delavall
Mr Cornelis Steenwijck
The Secretary.

Albany. Jno Stewards Murder.

The first thing under Consideracon is the Letters from Albany.

About ye Murdr of Mr Jno Steward,[1] by two North Indyans,[2]

[1] Collateral and Illustrative Documents, No. LXXXVI. See also Brodhead. *Hist. of N. Y.*, vol. 2, p. 198.

[2] The Mahican, an Algonquian tribe.

by Name the one Calcop,[1] 'tother Keketamp of the Castle called Naratack.[2]

The Lett^rs from y^e Commissaryes, Cap^t Salisbury,[3] & Cap^t Parker,[4] with the Relacon thereof are read.— Whereupon this Order was made.

The Ord^r thereupon.

WHEREAS certaine Informacon hath been given of a Barbarous Murder committed upon the Body of one M^r Jn^o Steward a Souldyer belonging to the Garrison at Albany at or neare the s^d Towne by two North Indyans, by name the one Kalcoep, & 'tother Keketamp belonging to the Indyan Castle called Naracktack, which said two Murderers are said to bee in Hold. Vpon serious Consideracon had hereupon, & that exemplary Justice may bee done upon y^e Delinquents, [126] It is Ordered, That a Commission bee forthwith sent up to Cap^t Silvester Salisbury, Cap^t Jeremias Van Renslaer, the Commissaryes & all y^e Commission Officers of the Militia to sitt as a Court of Oyer & Terminer; w^ch said Co^rt is to try y^e Male-facto^rs, & being found guilty to pronounce y^e Sentence of Death upon them, & cause the same to bee putt in Execution, after w^ch their Bodyes are to

[1] Calcop is, no doubt, a corruption of the Dutch Kaalkop, meaning bald-head, and was applied as a sobriquet. The minutes here state that he was a "North" Indian or Mahican, of the headquarters of that Algonquian tribe. There was another, dubbed by this name, who was a sachem of the Esopus Indians and had a son named Tantupawhee. The Esopus Calcop or Kaelcop appeared, on April 11, 1670, before Captain Dudley Lovelace and others, to certify to an agreement which Governor Nicolls had made with the Esopus Indians, on October 7, 1665, concerning acts of hostility, commission of murders and land grants. He is yet found as an Esopus sachem in 1677.— *N. Y. Colonial Manuscripts*, vol. 22, p. 4, and recorded in *Deeds*, vol. 3. See also *Olde Ulster*, magazine, vol. 2, p. 165; vol. 5, p. 265.

[2] The reference is to Nachtenack, Nachtenak, the Mahican name applied to the point of land at Waterford, N. Y., between the Mohawk and Hudson Rivers.— Ruttenber. *Indian Geographical Names*, p. 180; Beauchamp. *Aboriginal Place Names of New York*, p. 194.

[3] Captain Sylvester Salisbury was commander of Fort Albany.

[4] Evidently William Parker, who was a sergeant on October 13, 1671, at Albany.— Pearson. *Early Records of Albany*, p. 490.

hang in Chaynes upon a Gibbett or Gallowes to bee Erected in som[e] eminent Place neare y^e^ Towne, soe to strike the greater terro^r^ in the rest of their Companions, but that it bee left to y^e^ discretion of the Co^rt^ how long time their Bodyes shall bee exposed in that manner, according as they shall adjudge it most safe or convenient: And that before the Tryall Notice bee given to as many of the Indyans both Sachems & others, as conveniently can bee made acquainted therew^th^ to bee present & see the Proceedings of y^e^ Court against the Murderers, where the Sachems are to bee treated w^th^ all Civility, & also that the said Indyans bee at the Place of Execution; Of all w^ch^ an Acco^t^ is to bee returned hither to his Hono^r^ the Governo^r^, with y^e^ first Opportunity.

By Ord^r^ &c:

Jeuffro Curler of Schanechtide.

[127] Jeuffrou Curlers Peticon from Schanechtade desiring some ffavour about Liberty to trade w^th^ the Indyans, in regard of her great Losse by the ffire.[1]

to trade w^th^ y^e^ Indyans.

[1] Antonia or Tuentje Juriaense, was the daughter of Juriaen Slaghboom. Her first husband was Jonas Bronck, of Westchester, who died in 1643. She was soon married to Arent van Curler, of Rensselaerswyck, and removed with him to Schenectady upon the founding of that settlement in 1662. It was in 1667 that her now famous husband, Arent van Curler, was drowned during a tempest by the capsizing of his canoe in Lake Champlain, probably near Split Rock, while on his way to Canada, accompanied by Marion La Fontaine, a young Frenchman, whom he had rescued from the Mohawks, and bearing passports and a letter from Governor Nicolls to Governor De Tracy. Father Jean Pierron, S. J., writing to Mrs. van Curler, on September $\frac{9}{19}$, 1667, condoled with her on the sudden death of her husband, of which he had been apprised by one of his own men, Sebastian by name, who was with the Iroquois at the head of Lake Champlain, on their way to Quebec. Father Pierron stated that her husband's death would cause great affliction in Canada, as he was much beloved by the French, who were preparing to entertain him at Quebec with much magnificence. He said that the canoe was found broken up, and was astonished that her husband should have trusted himself on that lake in such a wretched boat. The van Curler house in Schenectady stood on land now occupied by the Mohawk Club. Owing to the loss of this house, barns and corn by fire, and in consideration of the

Her Lett^r to M^r Delavall, & another to M^r Beeckman [1] upon the same Acco^t

An Order thereupon as followeth.

The Ord^r thereupon.

Vpon y^e Request of Antonia Van Curler of Schanechtide p^rsented to his Hono^r y^e Governo^r that having not long since receiv'd a very great Losse by ffire, shee may for her p^rsent Reliefe bee soe farr indulged as to have Licence to sell some Rumm to y^e Indyans, as also some quantity of Powder & Lead; The Premisses being taken into serious Consideracõn It is Ordered, That in regard of the very great Losse & Damage sustayned by the said Antonia Van Curler in having her House, Barnes, & Corne destroyed, as by her is sett forth, as also the Losse of her Husband, Arent Van Curler, while hee was employed in his Mã^ties Publick Service, Shee the said Antonia his Widdow shall have free Liberty & Licence for y^e space & terme of one whole yeare & two Months after the Date hereof, That is to say, from the first day of Aprill next untill the 29^th day of May w^ch shall bee in the yeare of o^r Lord 1674. to sell & dispose of to the Indyans or others [128] in & about Schanechtide, in Rumme one hundred Anckers, & in Lead to the Value of two hundred Beav^rs or 1000 Weight; But for Powder in this conjuncture of time during the Warr, It's thought inconvenient any Extraordinary Liberty should bee granted therein.

By Ord^r &c:

death of her husband in the public service, as above stated, she was granted a license to trade with the Indians and others. It was also believed that a license to her would lessen the quarrels that had been going on between two other tapsters at Schenectady, Cornelis Cornelijssen Viele and Aques or Jaques Cornelijssen Gantsh [van Slyck], the latter an Indian who had been originally licensed by Governor Nicolls.— Sainsbury. *Calendar of State Papers, America and West Indies*, 1661–1668, p. 497; *N. Y. Col. Docs.*, vol. 2, p. 652; Pearson. *Early Records of Albany*, pp. 56, 444; Brodhead. *Hist. of N. Y.*, vol. 2, p. 121; *Van Rensselaer Bowier Manuscripts*, p. 817; Thwaites. *Jesuit Relations*, index; Scharf. *Hist. of Westchester County*, vol. 1, p. 770. See also Collateral and Illustrative Documents, No. LXIX.

[1] Thomas Delavall and William Beeckman.

The Matt[r] of Difference between y[e] two Tappers at Schanechtide, not thought fitt any Order shall bee made therein further, this Liberty to the Widdow probably being a meane to defeat both their Expectations.[1]

The 2 Tapp[rs] of Schanechtide.

The Commissaryes Lett[r] to y[e] Governo[r] about y[e] Contribution, not yet ready, & a Request that a Tax imposed about three yeares agone upon their Land, Working Horses, & Cowes may continue to support the Charge of the Towne.[2]

Esopus. Contribucon.

M[r] Graveraets Letter for y[e] Continuance likewise.

The Ord[r] thereupon.

Vpon Consideracon had what hath been represented to his Hono[r] y[e] Governo[r] by y[e] Schout & Commissaryes at y[e] Esopus as touching their Voluntary Contribution towards the ffortifications here, and a Tax heretofore Agreed to [129] bee imposed for y[e] time of three yeares, upon each Margen of their Improved Land, as also upon their Working Horses and Milch Cowes towards the defraying y[e] Publick Charge of their Towne, w[ch] said time being now Expired, they desiring a Continuance of the said Tax, upon the same Acco[t] as before; Both the said Particulars having been taken into Consideracon, It is Ordered, That the said Voluntary Contribution bee Collected & paid in to M[r] Isaack Graveraat[3] the Schout in good Corne according to y[e]

The Ord[r] in Answ[r] to it.

[1] Collateral and Illustrative Documents, No. LXIX. The two tapsters were Cornelis Cornelijssen Viele and the Indian, Aques or Jaques Cornelijssen Gantsh [van Slyck].

[2] Collateral and Illustrative Documents, No. X.

[3] Isaac Graveraet, Greveraat, Greveraet, Greveratt, was granted a letter of denization in New York City, on November 9, 1670, "as being here at y[e] Surrend[r]" in 1664. He removed with his family to Kingston, about March, 1670/1, and succeeded William Beeckman as schout there. On July 12, 1671, Lovelace authorized him "to take an Acco[t] of all Sloops or boats w[ch] shall come in there bound for that place [Kingston], & make an Entry of their Loading; And likewise that hee cause y[e] Master or Skipper of any such Sloope or Boate before hee comes away to take a Certificate or

Intent & Meaning of the Donation, otherwise it shall bee in the Liberty of the said Schout to refuse the same, & constrayne them to pay better. And likewise that y^e^ former Taxe upon y^e^ Land, y^e^ Working Horses & Kine, bee continued for two yeares longer, or untill farther Order, beginning from the Expiracõn of the last three years. And for that there was y^e^ last yeare the Summe of sixteen hundred Guild^rs^ allowed towards the Publick Charge of the Towne out of y^e^ Excize; It is also Ordered, That an Acco^t^ bee given to the Governo^r^ how the said sixteen hundred Guilders, & y^e^ last three yeares Tax hath been expended; when Consideracõn will bee had how the two yeares Taxe for the time to come shall bee disposed of. By Ord^r^ &c—

Cap^t^ Chambers freed from Rates.

That some particular Ord^r^ bee sent to Cap^t^ Chambers,[1]

Pass-porte for his Vessell and Loading, as is practized in other Ports."— *Court of Assizes*, vol. 2, pp. 615, 657; *General Entries*, vol. 4, p. 3. See sketches in Bergen. *Kings County Settlers*, p. 124; and *N. Y. Geneal. and Biog. Record*, vol. 7, pp. 60–61. His first wife, Lijsbeth Jeuriaens, he married on March 24, 1652; his second wife, Marritje Jans, on June 2, 1663.— *Records of R. D. Church, Marriages*, pp. 16, 29.

[1] Captain Thomas Chambers, a carpenter by trade, had possession of a tithable farm located between Wynant and Poesten Kills (now southern Troy), from November 1, 1647, until July 14, 1654. At the latter date he was already a resident of the Esopus, now the city of Kingston, but then the principal rendezvous of the Esopus Indians, from whom he had obtained a deed of purchase, on June 5, 1652, which was confirmed on September 28, 1669. Here with a few associates, he began the actual settlement of that section of New York. On account of the terror of Indian depredations, he abandoned this farm, in 1655, returning after the fear had subsided. He was there during the first Esopus Indian war, in 1658, and aided in repelling the Indians during the second Esopus war, in 1663. Chambers was one of two representatives sent from Wiltwyck, as Kingston was then called, to the general assembly at New Amsterdam, in April, 1664. On November 8, 1659, he was granted a lot at Fort Orange (Albany). On May 21, 1667, he received a patent for an estate at the Esopus, named Fox Hall, and on October 16, 1672, obtained from Governor Lovelace the privilege of erecting this estate into the Manor of Fox Hall. He died on April 8, 1694, and devised to his stepson, Abraham van Gaasbeek, who took the surname of Chambers, all his manorial estate and privileges.— *General Entries*, vol. 4, p. 216; *Patents*,

who is exempted from being Rated by the Towne, in regard of his Manno[r] [1]

[130] That some particular Ord[r], or Lett[r] of Thanks bee sent to Cap[t] Pawling [2] for his care & Vigilance concerning the Indyans there, since the Murd[r] at Albany; [3] & that hee continue the same &c: Cap[t] Pawling & y[e] Indians.

The Governo[r] himselfe will doe it.

Cap[t] Carrs [4] Lett[rs] about Affayres there, & the Whore-Kill with his Proposalls. Delaware.

In particular, About y[e] Sloope of Thomas Lewis, goeing up the River &c: [5]

About w[ch] this Ord[r] was made.

Vpon its being represented to y[e] Governo[r] & Councell y[e] Inconvenience of debarring Sloopes & Vessells of this Place from goeing up y[e] River [6] above New Castle, Although it Ord[r] about Sloops goeing up to N: Castle.

vol. 2 (second part), pp. 45–47; *Land Papers H H*, p. 102; *Van Rensselaer Bowier Manuscripts*, pp. 755, 835; *Olde Ulster*, magazine, vol. 1, pp. 77–83, 117, 304, 333; vol. 2, pp. 97–104; vol. 3, pp. 303–311, 353–354; vol. 5, pp. 327–336; Schoonmaker. *Hist of Kingston*, pp. 6, 492; Brodhead. *Hist. of N. Y.*, vol. 1, pp. 536, 607, 711, 728–729; vol. 2, pp. 194–195; *Collections* of N. Y. Hist. Society, 1893, pp. 122–123.

[1] Collateral and Illustrative Documents, No. LXXXVII.

[2] Captain Henry Pawling had come over as a soldier with Colonel Richard Nicolls, in 1664. He was given an honorable discharge from his regular military service by Governor Lovelace, on April 18, 1670, it "being now a Time of Peace," and to afford Pawling an opportunity "to follow his private affaires." At the same time Pawling was commissioned captain of "the ffoot Comp[es] listed or to bee listed in the Townes of Marbleton & Hurley & precincts at Esopus." He describes himself in his will, dated January 21, 1691, as "of Marbletown, in the County of Ulster, being weake and sicke." This will was proved on March 25, 1695, and letters of administration were granted to his widow, Neltie or Neeltje, daughter of Albert Heymans Roosa, of Hurley.— *N. Y. Colonial Manuscripts*, vol. 22, p. 100; *Collections* of N. Y. Hist. Society, 1892, p. 251. For the family history see *Pawling Genealogy* (1905), pp. 13–15, 26; *Olde Ulster*, magazine, vol. 1, pp. 339–342.

[3] The murder of John Steward. See Collateral and Illustrative Documents, No. LXXXVI.

[4] Captain John Carr.

[5] Collateral and Illustrative Documents, No. LVI.

[6] Delaware River.

bee permitted to all Vessells within the Governm^t to goe up y^e River [1] to Albany, as also the Distast w^ch hath been taken, that some have had Licences soe to doe, whiles others are restrayned; It is thought fitt & hereby Ordered, That the Prohibition thereof shall bee taken away, & it shall & may from henceforth bee lawfull for any Sloope or Vessell to goe up the said River,[2] bringing a Certificate from y^e Governo^r of his coming from hence, but that noe other Vessell shall have the like Liberty, but such as doe Sayle from this Place thither directly.

By Ord^r &c:

[131] A Lett^r from M^r Wharton,[3] & another from Cap^t Cantwell [4] about y^e Affayres of y^e Whore-Kill.

A Proposall for y^e Reducem^t of y^e Whore Kill by the Offic^rs from Delaware according to their Proffer. [5]

The Consideracon hereof to bee suspended untill the Returne of Henrijck the Loper,[6] or a convenient Opportunity of sending.

Douglas. The Lett^r w^th which W^m Douglas was sent from Delaware.[7]

The Ord^r Ordered, That in regard of the Trouble hee hath given

[1] Hudson River.

[2] Delaware River.

[3] Captain Walter Wharton.

[4] Captain Edmond Cantwell.

[5] Collateral and Illustrative Documents, No LXX.

[6] On November 24, 1671, "Hendrick Drooge-Straet, als de Loper," of New York City, was given a warrant to enable him "to pass Delaware River downe to New-Castle, or back againe toward this place [New York], having Lett^rs & Dispatches of publiq^e Concerne."— *General Entries*, vol. 4, p. 72. In the records he is named also "Henry y^e Loaper."— *Ibid*, p. 46. Drooge-straet became a resident of Elizabethtown, N. J., where he was a baker. His wife was Margaret Stuyvesant, stepsister of Director General Peter Stuyvesant, and former wife of Jacob Backer.— *Records of New Amsterdam*, vol. 6, pp. 255–256; *N. J. Archives*, vol. 21, p. 50; Hatfield. *Hist. of Elizabeth*, pp. 249–251.

[7] Collateral and Illustrative Documents, Nos. XIII and LXXXVIII.

the Countrey, hee bee sent by W^m^ Shackerley [1] for the Barbados, there to bee sold & Disposed of, to make Satisfaction towards the Charges hee hath occasioned.

Ben: Jonson & Thom: Faulx. about Releasm^t^

About y^e^ Prison^rs^ Request for their Liberty,[2] & first of Benjamin Johnson, It is ordered as followeth.

The Ord^r^

The Case of Benjamin Johnson a Prison^r^ in y^e^ State-House [3] of this City being taken unto Consideration, together w^th^ the long time of his being in Durance, It is Ordered, That in regard hee hath received the full Corporall Punishment, hee was condemned to suffer, & there remaining noe part of his Sentence to bee executed, except the Banishm^t^, That hee shall forthwith bee releast out of Prison by the Sheriffe,[4] with Liberty to returne to his House,[5] & goe about his Affayres, but that hee presume not [132] at his Perill to come nearer to any part of the City then his Habitac̃on, untill the first day of March next, when hee is againe to Surrender himselfe into y^e^ Custody of the Sheriffe, & farther Order will then bee given him by the Governo^r^.//

By Ord^r^ &c:

[1] The records show that William Shackerley was master of the ship "Mary," in 1668; of the "Adventure," of which Robert Rich, Jr., of Barbados, was owner, in 1670; and of the ship "Endeavour," in 1672–1673.— *Court of Assizes*, vol. 2, pp. 574, 587, 589; *Deeds*, vol. 3, p. 131; *General Entries*, vol. 4, pp. 213, 260; *Records of New Amsterdam*, vol. 6, pp. 158, 159, 244, 246. For his will, dated July 13, 1680, in which he is called "of New York, mariner," see *Collections* of N. Y. Hist. Society, 1892, p. 466.

[2] Collateral and Illustrative Documents, No. LXXXVIII.

[3] The old Stadt Huys or city hall was erected originally in 1642, under the auspices of the Dutch West India Company, as a tavern, and was granted, in 1654, to the burgomasters and schepens of New Amsterdam. It was substantially built of stone and stood on the present northwest corner of Pearl street and Coenties Alley until demolished in the spring of 1700. For an account of this building, with plans and illustrations, see Innes. *New Amsterdam and its People*, ch. xv.

[4] Allard Anthony.

[5] Johnson was the hangman of New York City; Faulx and the third accomplice in the thefts, Roger Essex, were servants of Captain John Manning.— *Magazine of American History*, vol. 16, pp. 234–235.

The Ordr upon Faulx. About Thomas ffaulx; It is Ordred, That according to ye Sentence of ye Court hee bee Transported out of the Government by the first Convenience; In the meane time to remaine in Custody.

Quakers Paper. The Consideracon hereof for ye prsent to bee suspended.[1]

Capt Manning. A Peticon from ye Inhabitants of this Island against Capt Mannings Patent for Land by the ffrench-Manns.[2]

Order. That ye Governor will in some convenient time cause to bee layed out a Proportion of about fourty Acres of Land according to his first Proposalls, the which hee may enclose, but not more; but that hee have Priveledge of Commonage with other Inhabitants.

About Hoggs. The Order. Vpon Complaint made by ye great Quantityes & Noysomeness occasioned by keeping of Hoggs in [133] the City, It is Ordered to bee Recommended to the Court of Mayor & Alderman to finde out some Expedient for ye Clearing the Towne of them, or that they bee kept without the City, that they bee noe longer a Nusance to the Neighbourhood.//[3]

The Widdow Davis. Her Peticon read, for Liberty to come hither wth her Sonn, and Sloope, with Goods.

An Order accordingly to Mr Mayor not to grant any Warrant or Attachmt either against her or her Sonn, Sloope, or Estate, shee shall bring wth her.[4]— The Ordr at large.

[1] Related to contributing toward the repair of Fort James.

[2] Jacob, the Frenchman, also known as Jacob Fransen or Fransman, dwelt, in 1665, outside of the land gate of New York City, or Broadway above Wall Street. No grant of land to Captain John Manning, in this section, has been discovered. On February 21, 1671/2, Manning received a patent for land north of Turtle Bay.

[3] Hogs at large in New York City were a grievance from the Dutch period to the early nineteenth century. The court of burgomasters and schepens, immediately after the recapture, in August, 1673, passed ordinances for preventing them from straying and injuring the fortifications.— *Records of New Amsterdam*, vol. 6, p 406; vol. 7, p. 36.

[4] Collateral and Illustrative Documents, No. LXXXIX.

Vpon y^e^ Request of Sarah y^e^ Widdow of Nicholas Davis [1] deceased made unto his Hono^r^ y^e^ Governo^r^, That shee may have Liberty to come to this City w^th^ her Sonn Samuel Davis, together w^th^ his Sloope & Loading, without any Molestac̃on by Arrest or Attachment, from any of her late Husbands Credito^rs^, the better to bee enabled to treat w^th^, & if Occasion bee Compound w^th^ y^e^ said Credito^rs^, & The Ordr

[1] Nicholas Davis was a prominent merchant-trader, whose ships sailed from New England to New York, Virginia and Holland, as the records reveal. He obtained a large tract of land from the Indian sachem, Hianna, located on an inlet, now called Lewis Bay. It was called Hyannis, and was in the town of Barnstable, then of Plymouth Colony. On this farm he built his home and a large warehouse, and resided for many years. Some time between April, 1669 and April, 1671, he removed to Newport, R. I., no doubt changing his domicile on account of his avowed attachment to the tenets of Quakerism. On the last named date he agreed to sell his Hyannis holdings to Dr. Henry Taylor, of Boston, and at that time he was already a resident of Newport. Davis had houses in the Smiths Fly, New York City; bought an estate at White Stone, L. I., on February 15, 1671/2, and had possessions in Newport, where he was admitted a freeman of the colony, on May 2, 1671. He was also owner or part owner of ships and shipping, as well as holder of merchandise. On June 24, 1672, he was accidentally drowned in Newport Harbor. Dying intestate, with his possessions entangled in litigation and by debts, his wife, Sarah, refused " to administer or intermeddle therein " in New York, and his creditors, among them Dr. Henry Taylor, were, on February 20, 1672/3, appointed administrators. Davis seems never to have made good his bill of sale to Dr. Taylor for the Hyannis farm; hence Taylor brought suit at the court of assizes, in October, 1672, for attachment on the estate and appurtenances at White Stone, L. I. Sarah Davis, having been " allowed Administratrix to her Husband by y^e^ Governo^r^ & Assembly at Rhode Island," for his estate in that colony, did not appear at the October term, but at a special court, in December, was represented by Lieutenant Joseph Torrey, of Rhode Island. Dr. Taylor was put in possession of the White Stone property, where he resided until his death in 1719. On July 4, 1673, John Whalley, of Boston, was appointed administrator of Davis's estate in Plymouth Colony, and on the same day the court assigned a house and land in Barnstable to Mrs. Davis, in lieu of her dower right.—*Court of Assizes*, vol. 2, pp. 295–296, 304, 306, 308, 332–335; *Orders, Warrants, Letters*, vol. 2, pp. 63, 87, 270; *Deeds*, vol. 3, p. 140; *Collections* of N. Y. Hist. Society, 1892, pp. 26–27; 1893, pp. 198–199; Otis-Swift. *Genealogical Notes of Barnstable Families*, vol. 1, pp. 291–292, 294–296; *Records of R. I. Colony*, vol. 2, pp. 374, 507; Arnold. *Vital Records of R. I.*, vol. 7, p. 98; *Plymouth Colony Records*, vol. 5, pp. 124–125; vol. 7, pp. 178–179.

likewise use y^e^ meanes to gather in & receive such Debts as were due unto her said Husband, And when time & Season suites, after such Goods as are on board upon ffreight are Landed, That shee may w^th^ her said Son & his Sloope, quietly depart againe without any [134] Lett or hinderance, thereby to seek & Endeavour to give all the Credito^rs^ the best Satisfaction shee can enabled to; The Premisses being taken into Consideration, & that all possible ffavo^r^ may bee extended to the Widdow in her soe just & reasonable Endeavo^rs^; It is Ordered That the said Sarah Davis her Request bee fully Granted; of w^ch^ the Mayo^r^ of this City, Justices of the peace, & all other Offic^rs^ whom it may Concerne are to take Notice, That they issue forth noe Warrant of Arrest or Attachment, against y^e^ said Widdow, her Sonn, his Sloope,[1] or any of the Goods or Loading shee shall bring in her, but that they have free Egresse & Regresse to & from this Port without any manner of Lett, hindrance, or Molestacõn whatsoever.

By Ord^r^ &c.

[135] At a Councell &c:
Jan^ry^ 28^th^ 1672.

Pres^t^

The Governo^r^
M^r^ Tho: Delavall
M^r^ Cornelis Steenwijck
The Secretary.

A Packett from White-Hall.

The Occasion of Meeting was y^e^ Reception of a Packett from White-Hall by the hands of M^r^ George Moore,[2] which came from England by the way of Boston; hee arrived in the After-noone about 4 a Clock.

[1] The sloop of Samuel Davis was the "Dolphin."

[2] Apparently this is the George Moore who had land patents in Delaware.—See *Original Land Titles in Delaware*, pp. 102, 128, 165.

The Pacquett came only from Sr Joseph Williamson, wth diverse Newes-Bookes [1] &c: relating ye Miscarriage of a Packett from his Matie, wch Mr Gorsuch [2] was to give Acct of, but his Letter is not Arrived. The Letter writt in hast, but mentions noe Publick Busynesse.

[136] At a Councell held &c:
Apr: 14th 1673.

Present
The Governor
Mr Delavall
Mr Steenwijck
The Secretary

Peter Groenendijke

The Busynesse of Peter Groenendijke suspended for a few Dayes.[3]

Mr Gardner of Nantuckett—

Mr Gardnrs of Nantuckett his Businesse suspended.// [4]

[1] Newspapers.

[2] Richard Gorsuch, who conveyed his right to a patent for a tract of land on the west side of Delaware River to Governor Lovelace. It is described as "bounded on ye North by a Creek called by ye Indyans Quiackitkunck als Nicambanack Creek, & South by ye North-side of Pemecacka Creek, passing over Pasaquessing Creek."—*General Entries*, vol. 4, p. 189 (dated in an order relating thereto, August 12, 1672).

[3] Collateral and Illustrative Documents, No. XC. Peter Groenendijcke, Groenendijke, Groenendike, Groenendyke, Gronendike, also called Peter Smith, was granted liberty to trade with the Indians at the Whorekill, on October 22, 1670. He had a pareel of land, granted to him in 1679, on the west side of Delaware River and on the north side of Murther Creek, called "new Seavenhoven."—*Court of Assizes*, vol. 2, p. 610; *Original Land Titles in Delaware*, pp. 41–43. For a sketch see Bergen. *Kings County Settlers*, p. 126.

[4] Collateral and Illustrative Documents, No. XVIII. Richard Gardner was appointed by Lovelace chief magistrate of Nantucket, in place of Tristram Coffin, in April, 1673. At a meeting of the inhabitants of Nantucket, on March 22, 1666/7, he was given a grant on the island "according to the Grants made to Seamen and Tradesmen, upon Condition that hee exercise himselfe as a Sea-man, and that hee come to Inhabitt here with his ffamily before the End of May, —68. And after that his Entrance here, not to depart the Island in Point of dwelling, for the Space of three Yeares, upon Forfeiture of the Grant aforesaid."—*Deeds*, vol. 1, p. 74.

Whore-Kill. The Affayres of the Whore-Kill taken into Consideracõn.[1]

The Lettrs from Capt Carr,[2] Capt Wharton,[3] & Capt Cantwell [4] read, with their Proposalls for Reducement of the Place.

Order for its Reducemt } It is Ordered, That a Commission bee sent to ye Officrs & Magistrates at Delaware to goe to ye Whore-Kill, there to keep a Court in his Mãties Name, & to make Enquiry of all Irregular Proceedings, & to settle the Governmt and Officers there as formerly under his Maties Obedience, & the Protection of his Royall Highness, for the wch there shall likewise bee sent particular Instructions.//

Quakers Petition [137] The Quakers Paper about ye ffortifications considered of

Lawes Military to bee attended. That the Lawes bee Attended as to Military Mattrs,[5] & his Mãties Proclamation as to the Liberty granted to Non-Conformists; other Mattrs relating to them to bee suspended.

The Bakers about ye Cure-Mastr The Bakers Petiçon about ye Cure-Masters Place of Bread & Floure, considered of.

The Order. Vpon ye Petiçon of ye Bakers &c: It is thought fitt, That a Meeting shall bee had by ye Governor & Councell wth ye Mayor & Aldermen, to discourse & consider of this particular Business, when all Persons that are concern'd shall have Notice to appeare &c:[6]

Kingdome & Tijs Barentz. The Busynesse of Kingdome & Tijs Barentz[7] referr'd

[1] Collateral and Illustrative Documents, No. LXX.

[2] Captain John Carr.

[3] Captain Walter Wharton.

[4] Captain Edmond Cantwell.

[5] For the provisions of the Duke of York's laws as to military affairs, see *Colonial Laws of New York*, vol. 1, pp. 49–55.

[6] Collateral and Illustrative Documents, No. XCI. The records of the mayor's court for this period are missing.

[7] Tijs or Mathijs Barentsen is found as one of a number of recently arrived persons who, on August 22, 1661, petitioned for land on Staten Island.—*N. Y. Colonial MSS.*, vol. 9, p. 735.

back to ye Justices that sate upon the Bench for their Determinacõn, of wch to make Report to ye Governor

Jan Jansen's Petiçon to bee referr'd to the Viewing of the Governor, & some of the Councell, in some short time. Jan Jansens Petition.

Mr Nicholls his Charges at Delaware, Anno 1669. An Order for the Payment of it out of the Long ffinns ffines as before.[1] Mr Nicolls his Charge of Delaware.—

[138] Delaware Last Charges to bee pd out of the Publick,[2] but suspended for further Consideracõn how & in what-manner. // Delaware last Charges.

Some Survey's from Mr Wharton,[3] Ord'red to bee Patented, wth the Restriction of settling in due time. Surveys from Mr Wharton to bee patented

[139] At a Councell in ye Fort &c:
Apr: 18th 1673.

Present

The Governor
& Councell.
The Mayor
& Aldermen.

The Matt under Consideracõn was ye Complaint of Jurian Blanck[4] on ye behalfe of his Daughter[5] against Juriaen Blanck & Peter Groenendijke.

[1] Collateral and Illustrative Documents, No. XI.

[2] Collateral and Illustrative Documents, No. LXXIII.

[3] Captain Walter Wharton.

[4] Juriaen, Jurian or Jurijaen Blanck, Sr., was a skipper engaged in trading with the Swedes on the Delaware as early as 1642. In 1646, while attempting to trade on the Schuylkill, the Swedish commander ordered him away. In the will of his widow, Catharine, dated September 1, 1698, their children are mentioned.— Brodhead. *Hist. of N. Y.*, vol. 1, pp. 380, 424; *Collections* of N. Y. Hist. Society, 1892, p. 296.

[5] Annetije or Jannetije Blanck. Apparently, after the Groenendijcke affair, she was married to George Brewerton.—*Collections* of N. Y. Hist Society, 1892, p. 296.

Peter Smith alś Groenendijcke, & the Affayre between him & Maria De Lanoy.// [1]

All the Papers & Petiĉons read on both parts.// [2]

Jurijaen Blãck Senr & Junr, & Jannetije & Katharine Blanck [3] his Daughters wth Albert Bosch [4] his Sonn in Law appeare before ye Governor to bee heard what they could prove of ye Allegaĉons putt in against Peter Groenendijke.

Peter Groenendijcke also wth Mr Sharp [5] his Attorney present; Peter brought in by ye Sheriffe.[6]

Hee is Ordered to bee Committed into ye Custody of the Sheriffe, & not to stirr out of ye ffort.// [7]

Maria De Lanoy wth her Brother Peter appeare.

Shee declares Peter Groenendijkes making Love to her to beginn the last yeare in the fore part of [140] the yeare, and that hee lay wth her in Octobr//

Shee produces two Papers, one his Oath Dated Aug: 8th 1672. & a Paper of Aprill ye 1rst under ye hands of ffredrick Gijsbert [8] & his Wife; Mr De Pijester,[9] Peter De Lanoy, & Cornelia de Pijester.

It was putt to ye Vote, whither Peter Groenendijke shall be permitted to marry either of the two young Women.

[1] Collateral and Illustrative Documents, No. XC. See also Valentine's *Manual*, 1860, p. 596.

[2] These papers have not been found.

[3] Katharine or Katharina Blanck is named in her mother's will as "Catalyna, wife of Frans Boon."—*Collections* of N. Y. Hist. Society, 1892, p. 296.

[4] Albert Bosch or Busch, son of Hendrick Bosch and Ann Maria Rembach, was born in Leyden, in 1645. He came over with his parents in 1660, and married, on May 1, 1668, Elsie, one of the daughters of Juriaen Blanck, Sr. Like his father, he was a smith. His widow, Elsie, is mentioned in her mother's will.— Riker. *Revised Hist. of Harlem* (1904), p. 368; *Collections* of N. Y. Hist. Society, 1892, p. 296; *Records of R. D. Church, Marriages*, p. 33.

[5] John Sharpe.

[6] Allard Anthony was sheriff of New York City.

[7] Fort James.

[8] Fredrick Gijsbertsen.

[9] Johannes de Peyster, who was at this time an alderman of the city.

Mr Darvalls[1] Opinion is, That hee should marry one of them, the wch can make her Right best appeare to him.

Mr Rombout,[2] That hee is capable to marry one of them.

Mr De Pijester, That hee should marry one.

Mr Oloffe Stevens[3] the like.

Mr Van-Ruijven[4] desires to consider of it before hee gives his Answer; but after saith one.

Mr Mayor[5] desires Informacõn as to a President, but after yields to one.

The Secretary,[6] That having broken his Troth to both, hee should have neither.

Mr Steenwijck[7] for one.

Mr Delavall[8] for neither, but to bee severely punisht, & his Estate divided between them.

The Governor for one.

[141] The farther Consideracõn to bee respited till Munday at two a Clock at this Place.

In ye meane time Peter Groenendijcke to putt in New Bayle (the old Surrendring) or to goe to Prison.

[1] William Darvall or Dervall, who had been commissioned an alderman of New York City, on October 13, 1672. He was a merchant trader of New York City, to whom Governor Nicolls had granted permission, on September 16, 1665, to trade and traffic anywhere in the English colonies of America. From time to time, he sent large quantities of goods and merchandise to his brother, Cornelius Darvall, a merchant of Amsterdam, and in this trade Thomas Delavall, his father-in-law, was interested with him. Darvall had married Rebeckah, daughter of Delavall, in 1670 (marriage license granted on September 12th). In 1675, Darvall was mayor of New York City — an office previously and subsequently held by his father-in-law.— *General Entries*, vol. 1, p. 138; vol. 4, p. 220; *Court of Assizes*, vol. 2, p. 589; *Deeds*, vol. 4, p 40.

[2] Francis or Francois Rombout.

[3] Oloff Stevensen van Cortlandt, at this time an alderman of New York City.

[4] Cornelis van Ruijven, at this time deputy mayor of New York City.

[5] John Laurence was mayor.

[6] Matthias Nicolls.

[7] Cornelis Steenwijck, of the council.

[8] Thomas Delavall, of the council.

The Bakers. Petition. The Bakers Peticon then to bee taken into Consideracon.[1]

As also a Peticon heretofore sent from ye Mayor & Aldermen about Sewant, or some other Coyne.[2]

At a Councell held at ffort James in New Yorke, ye 22th day of Aprill 1673 the Governor being Yesterday absent.

Present
The Governor
& Councell.
The Mayor
& Aldermen.

Peter Groenendijkes Tryall. A Peticon from Peter Groenendijcke to excuse his goeing away, & breaking his word.[3]

A Deposition of Annetije-Romers[4] taken before ye Publick Notary Wm Bogardus[5] in Dutch [142] read by Mr Van Ruijven.

A Petition from Maria De Lanoy's brought in & read by him likewise.

Reyner Willems Testimony. Reyneer Willems[6] Baker saith, being present at Albert

[1] Collateral and Illustrative Documents, No. XCI.

[2] The records of the mayor's court for this period are missing

[3] Collateral and Illustrative Documents, No. XC.

[4] Anneke Romerse, or Roemerse. See *Records of New Amsterdam*, vol. 6, pp. 290, 299, 307.

[5] William Bogardus had been appointed a Dutch notary public by Governor Nicolls, on June 18, 1668, "for the Conveniency & Good of the Dutch Inhabitants of this Citty & Governmt as well as for Strangers of that Nation who may arrive here," and Lovelace had reappointed him, on September 10, of that year.— *Orders, Warrants, Letters*, vol. 2, pp. 211, 246.

[6] Reynier Willemsen, a baker of New York City, married, on April 10, 1660, Susannah, daughter of Arent Tennisen and Susannah Jans.— *Collections* of N. Y. Hist. Society, 1892, p. 107. See also *Records of New Amsterdam*, vol. 6, pp. 67, 287; *Records of R. D. Church, Marriages*, p. 25.

Bosch's House, when Peter Groenendijk returned from Stratford, hee heard Juriaen Blanck the ffather ask him, Will you marry my Daughter or noe? Yes said hee, And in two dayes the Banes shall bee putt in, if it bee not hindred; This without any seeming ffeare of fforce.//

Cornelissẽ the ffisher [1] was present, & for that hee could say noe more, desired to bee excused in y^e^ Morning from Attendance having Busynesse by Water.

Two Deposic̃ons from two Widdowes read concerning Discourse with Maria De Lanoy.//

Its alledged that Maria may not bee w^th^ Childe, soe putt to Question to bee searcht.

Juriaen Blanck Sen^r^ & Jun^r^, Katharina Blanck, & Albert Bosch's Testimonyes read.

Another Paper p^r^ferrd by D^r^ Jacob Vervang^rs^ Wife [2] Mariekije about Peter Groenendijcks being heretofore engaged to Maria Vander Grift.// [3]

Peter Groenendijck is called in to heare it read.

[1] Perhaps this refers to Cornelis de Visser, also known as Cornelis Jansen de Visscher.—*Records of New Amsterdam*, vol. 7, p. 20; Collateral and Illustrative Documents, No. LXXV, in list of contributors.

[2] Dr. Jacob Hendricksen Varvanger, Varrevanger, Vervangher (and otherwise), came over to New Amsterdam, in 1646, and was official surgeon under the Dutch West India Company until his discharge, in 1662. Upon the English occupation, in 1664, he took the oath of allegiance and continued to practise his profession in New York. He died before February, 1677, when his wife, Maritje Jacobs, is found in the records as a widow.

[3] Apparently Maritje, daughter of Paulus Leendertsen vande Grift, baptized April 29, 1653, and who was married to Gerrit van Tricht. Her father remained in New York until October, 1670; disposed of his property, and returned to Europe. His children, Gerrit, Margaritie and Maritje, were granted passes by Lovelace, on October 24, 1671, to ship for England and Holland in the ship "Good Fame of New York," together "with their Goods & Necessaryes." Gerrit is called "y^e^ Barber" and also "Chyrugion of the ships crew." The deposition of Dr. Varvanger's wife is explained by the absence from the country of Maritje vande Grift.— *General Entries*, vol. 4, pp. 55, 57; *N. Y. Colonial Documents*, vol. 2, p. 43; Bergen. *Early Settlers of Kings County*, p. 317; *Records of New Amsterdam*, vol. 6, pp. 267, 272, 287–288.

Hee denyes all, but that some Proposic̃ons of Marriage were made between them.

Some Papers putt in by P. Groenendijke to Invalidate the Testimonyes before putt in.

[143] Maria De Lanoy her Mother & Brother called in, w^th^ Anneke Romers, whose Deposition was read to them all.

And also y^e^ Papers brought in by Pet: Groenendike read.

Albert Bosch called in w^th^ y^e^ ffather and Daughters.

Another Witnesse that lives at Jeuffro Philips [1] of Words spoken & Maria's [2] Answ^r^.

They are all Ordered to withdraw.

Then y^e^ Governo^r^ having Ordered a private Examinac̃on of Peter Groenendijke, Jannetije Blanck, & Maria De Lanoy, Hee was pleas'd to leave the Chayre to M^r^ Delavall [3] & the rest, soe retired.

Afterwards upon y^e^ Governo^rs^ Returne, The Meritts of the whole Case being debated at large, The Co^rt^ made this following Order.

At a Court Extraordinary held before y^e^ Governo^r^ & Councell & Mayo^r^ & Aldermen at ffort James in New Yorke y^e^ 22^th^ day of Aprill 1673.

The Ord^r^ of Court — The Court having maturely & w^th^ Deliberac̃on heard & Examined into the Matt^r^ of ffact committed by Peter Groenendijck als Smith w^th^ Annetije Blanck, & Maria De Lanoy, [144] They doe adjudge, That y^e^ said Groenendijke is culpable of a very great Crime in debauching two Daughters

[1] Apparently Margaret Hardenbroek, daughter of Adolph Hardenbroek, who was the widow of Pieter Rodolphus de Vries, a merchant of New Amsterdam, when Fredrick Felypse or Philipse married her in 1662

[2] Maria De Lanoy.

[3] Captain Thomas Delavall, member of the council.

of honest & Vertuous Parentage of this City under y^e^ pretext of Marriage; And it being made manifest, That hee hath gotten them both w^th^ Childe, & each of them having made their Complaint & sued to bee marryed to him according to his Promises to them; Wee doe finde that having falsifyed his ffaith to both hee is incapable of marrying of either of them; And for Reparacõns of the Injuryes they have received by his Allurem^ts^; The Court doth Order & Award, That y^e^ said Peter Groenendijke shall pay or cause to bee paid unto Annetije Blanck the Summe of One hundred & fifty Beave^rs^, or the Value in Peltry, and the like Sume of One hundred & fifty Beavers more or Value in Peltry to Maria De Lanoy, & shall also for his Misdemeano^r^ & breach of the Law, pay as a ffine to his Ma^tie^ the Sume of seaventy five Beavers, or Value as afore specifyed. And likewise that hee the said Groenendijke bee Committed into y^e^ Custody of the Sheriffe of this City untill hee make Satisfac tion as aforesaid, or give Security for paym^t^ of y^e^ same within the space of six Weeks after the Date hereof. All Partyes aggrieved are to beare their own Charges, but the Party cast is to pay the other necessary Costs & Charges of this Suite.//

By Ord^r^ of y^e^ Governo^r^
and Court —

[145] At a Councell held at Fort James
y^e^ 29^th^ of Aprill 1673.

Present

The Governo^r^
M^r^ Steenwijck
The Secretary.

Exportacõn of Wheat phibited.

The Matter under Consideracõn is about the Exportacõn of Corne.

That an Ordr bee made hereupon to Prohibitt ye Transportacõn of Wheate in Grayne & Meale as before, untill farther Order.[1]

The Order thereupon is as followes. Vizt

The Ordr WHEREAS ye former Ordrs made prohibiting ye Transportacõn of Wheat in Grayne & Meale out of ye Governm were heretofore adjudged Beneficiall, & for ye Generall Good of ye Inhabitants, yet notwithstanding upon severall Applications made as well to the Governor as also to ye last Generall Court of Assizes, That the said Prohibition might be taken off, An Order issued forth from ye said Court complying wth their Request, upon the Provisoes in the said Order sett forth; But having since found by Experience ye Inconvenience thereof; and that the prices of Corne doth not amount to the Value proposed; Having likewise susteyned a very hard Winter, wch hath almost consumed all other Grayne wch hath been made use of, for the support of Cattle, soe that [146] little or none is left but this alone for ye Reliefe of the Inhabitants; For the Reasons aforesaid, as also for diverse other good Causes & Consideracõns, The Governor by & with ye Advice of his Councell hath Ordered, & by these prsents doth hereby Order & Declare, That ye Permission for the Exportation of Wheat in Grayne or Meale out of this Government made the last Generall Court of Assizes[2] shall bee suspended, and the former Orders for the Prohibition to bee in fforce from and after the Date hereof,

[1] Collateral and Illustrative Documents, No. XLI.

[2] The court of assizes, in October, 1672, had ordered, "That ye Prohibiçon for ye Transportation of Corne for this yeare bee repealed; & it shall bee lawfull for any Man to transport Corne to Boston, or any place out of the Governmt, as long as the price of Merchantable Winter Wheat shall bee 4s: 6d & Summer Wheat 4s in Silver or above, but not under that price, upon the penalty of forfeiting the Value of what they shall soe dispose of; And what Strangers shall come to purchase Corn here, they shall not buy it under 4s & 3s: 6d in Silver, or Goods Equivalent upon like Penalty."—*Court of Assizes*, vol. 2, p. 323.

w^th^ y^e^ same Provisoes & Limitations, & under y^e^ same Penaltyes as heretofore; And that noe Person doe presume to transport any such Corne or Meale as aforesaid, without a particular Lycence from the Governo^r^ for the same. This Prohibition is to bee & continue in force untill farther Ord^r^

By Ord^r^ of y^e^ Governo^r^
and Councell —

[147] At a Councell in y^e^ Fort.[1]
May 15^th^ 1673.

Present
The Governo^r^
Cap^t^ Delavall
Cap^t^ Steenwijck
The Secretary.

A Ltre from y^e^ D. about N: Jersey.

The Dukes Lett^r^ Dated Novem: 25^th^ read, relating to New Jersey.[2]

Another from y^e^ L^d^ Berkley &c:

A Letter from y^e^ Lord Berkley[3] & S^r^ George Carterett to recommend y^e^ Affayres of New Jersey to y^e^ Governo^r^

Coll: Nicolls Patents of Elizabeth Towne and Nevisans now made void by the Duke.[4]

A Letter from y^e^ Lords Proprieto^rs^ to Coll Nicolls confirming his Patents before Cap^t^ Philip Carterets Arrivall being objected, the State of y^e^ Case to bee returned to his Royall Highness.

[1] Fort James, New York City.

[2] Printed in Leaming and Spicer, p. 31; and in *N. J. Archives*, vol. 1, pp. 97–98.

[3] John, Lord Berkeley, of Stratton. For a letter from the proprietors to the deputy governor and council of New Jersey, December 10, 1672, see *N. J. Archives*, vol. 1, p. 108; and instructions of December 10, in *ibid*, p. 105.

[4] Navesink, N. J. See *N. J. Archives*, vol. 1, pp. 14–19, 43–48, 108; Hatfield. *Hist. of Elizabeth*, pp. 29–42, 50–51.

Milford Post. About y^e^ Continuac̃on of y^e^ Post to Milford, Concerning w^ch^ Governo^r^ Winthrops[1] Lett^r^ of Encouragem^t^ is read,— It is Ordered, That hee bee employed to goe to Milford, but not to bee putt in practice till a Returne from Boston.[2]

Beacons to bee erected. About the Erecting of Beacons,

That it bee putt in Practice as farr as possible.

Whore Kill. The former Ord^r^ of Councell about Reducing the Whore-kill. That it bee putt in Execution by Commission to the Officers there.[3]

Sessions adjourned. [148] About y^e^ Sessions, That it bee putt off this June till the Assizes or next Sessions in Decemb^r^ at this juncture of time, of which Notice is to bee given to all the Justices.[4]

An Ord^r^ thereupon. An Order to referr to. Vide y^e^ 4^th^ Book of Entryes.

A New Sheriffe in y^e^ E. Riding. That a New Sheriffe bee Nominated for the East Riding. And Ord^r^ thereupon — viz^t^

The Ord^r^ The Governo^r^ & Councell having taken into Consideraco̅n, That y^e^ time drawes nigh wherein a Returne of the Nomination of High Sheriffe is to bee made, the three Ridings having successively taken their Turnes in having a Sheriffe for two full yeares together, the East Riding beginning, then the North, & at last y^e^ West Riding To the end the Directions in the Law bee Attende[d,] the Justices of y^e^ peace for the East Riding are to make Returne unto y^e^ Governo^r^ of y^e^ Names of three Persons, out of whom his Hono^r^ will pitch upon one who shall have Commission to bee High Sheriffe of York-shire upon Long Island for y^e^ yeare ensueing in y^e^ Place & stead of Cap^t^ Jn^o^ Manning[5] the p^r^sent High

[1] Governor John Winthrop, the younger, of Connecticut.

[2] Collateral and Illustrative Documents, No. XCII.

[3] Collateral and Illustrative Documents, No. LXX.

[4] Collateral and Illustrative Documents, No. XCIII.

[5] Collateral and Illustrative Documents, No. XCIV. Manning's second term expired, on the face of his commission, on June 30th, but no immediate successor was chosen. In 1674, Sylvester Salisbury was high sheriff under Andros.

Sheriffe, & the New High Sheriffe is to bee sworne & Enter upon his Employment at the Expiracon of the Date of the Commission of the Old one.

By Ordr &c.

[149] The Case of Daniel Lane, when & how to bee tryed ? [1] Dan: Lane.

To bee suspended till his Wife come.

Mary Dobsons Peticon, read, & considered of. The Wid: Dobsons Petition.

Ordered, That in regard ye Purchase was to bee paid long since to Mr Gabrije,[2] as by Judgment of Court, Shee is to pay ye Remainder of the Sume unto him, but without Interest. The Ordr

Asser Levyes Busynesse considered of, About Vander Cooley & Nichols De Meyer.[3] Asser Levy

[1] Collateral and Illustrative Documents, No. XCV. The offense of Daniel Lane, of Brookhaven, referred to in the council minutes of May and June, was incest "on his owne daughter." His wife's name was Katharine.— *Collections* of N. Y. Hist. Society, 1892, pp. 57–58.

[2] Timothy Gabrije or Gabrie, as attorney for his brother Daniel, brought suit in the mayor's court of New York City, against Mary Dobson, as widow of George Dobson, for a debt of four hundred guilders in tobacco, being for a lot of ground in New York City purchased by Dobson. The case having been in suspense since August, 1670, an execution was ordered by Mayor Laurence, on April 14, 1673. Mrs. Dobson's petition was, no doubt, an attempt to get a stay of execution.— *Records of New Amsterdam*, vol. 6, pp. 251, 283, 289, 363, 367, 373, 379–380.

[3] Collateral and Illustrative Documents, No. XCVI. For a sketch of Asser Levy see *Publications* of American Jewish Historical Society, No. 8 (1900), pp. 9–23, and for his estate see *Collections* of N. Y. Hist. Society, 1892, pp. 112, 123. Reynier vander Cooley, or Coele, is found, in 1665, as a distiller, allowed to remove from the Delaware to New York "with his Stills, Vessells, and any other necessaryes belonging to him, or his Trade." He was sued for debt in the mayor's court of New York City, in 1669, being then a resident of Kingston, and for a time was imprisoned in New York City for this alleged debt, but released because "Frederick Pieters. Moritz of Esopus is ye Originall Debtor for the non-paymt" of a "Certaine bill of 325 Glds to be paid in Holland," which vander Cooley had assigned to Francis Rombout and Guilijn ver Planck, merchants of New York City.— *Orders, Warrants, Letters*, vol. 2, pp. 15, 521; *Records of New Amsterdam*, vol. 6, pp. 59, 121, etc. Nicholas de Meyer was a merchant of New York City. He and Asser Levy were made denizens on the same day, March 21, 1664/5, and at that time were given

Ordr Ordered, That Captt Chambers [1] deliver ye Wheat, but Asser Levy to bee accomptable, if it doth not appeare the first Judgment is paid.

[150] At a Councell held at Fort James ye 22th May 1673.

Prest

The Governor
Captt Steenwijck
The Secretary.

Mr Graveraat & C: Pawling about their difference. The Mattr under Consideracon is ye Difference between Captt Pawling,[2] & Mr Graveraat,[3] of wch diverse Papers are produced.

Mr Graveraat relates his whole Case, & Captt Pawling likewise by word of Mouth.

It appeares, That Captt Pawling had been committed, & his Sword taken away by Ordr of Mr Graveraat formerly, wch aggravated their Difference & urged him to take Mr Graveraats Sword from him.

The Ordr It is Ordered, That Mr Pawling shall deliver Mr Graveraat his Sword againe, & ye Governor enjoynes them to bee ffriends; In token whereof they joyne their hands together.

C. Chambers & Edw: Whittacre. The Complt of Captt Chambers about Edward Whittaker & his Wife, & his Wife & a Woman reputed to bee a Witch.[4]

permission to traffic at Albany. De Meyer was appointed an alderman of New York City by Lovelace, on June 7, 1669, to fill a vacancy, and he was reappointed thereafter to serve until October, 1670. He was mayor of the city, in 1676. For his will and letters of administration granted to his son, see *Collections* of N. Y. Hist. Society, 1892, pp. 187, 203. There is a sketch of his family in Riker. *Revised History of Harlem* (1904), pp. 320–321.

[1] Captain Thomas Chambers, of Fox Hall Manor.

[2] Captain Henry Pawling, of the militia of Hurley and Marbletown.

[3] Isaac Graveraet, schout of Kingston.

[4] Edward Whittaker had come over as a soldier with Governor Nicolls, in 1664, and continued in this service until the Esopus (Kingston) garrison was disbanded by Governor Lovelace. He received an honorable discharge, on

As to ye first it's said, The Matter is already determined, a ffine being sett upon him of twenty five Scheples of Wheate to the King.//

[151] To ye next ye Woman hath been in great Trouble about it already, & some Difference between Whittakers Wife & the Woman, wth very idle Storyes.

It's Ordered, That both bee Acquitted, & the Woman to bee declared innocent. As to the Cost that hath arisen upon this Occasion the Court of Sessions next are to adjudge it, & make Returne of it to ye Governor (how it shall bee layd) for his Approbacon. The Ordr

At a Councell in the Fort &c:
June 12th 1673.

Present

The Governor
Mr Delavall
The Secretary.

The Matter of Daniel Lanes Escape taken into Consideration. Dan: Lane his Escape.

A Proclamacon to bee issued forth, That if the said Lane doe not come in betwixt this & ye Assizes, hee shall bee adjudged Guilty of what is laid to his Charge, & his Estate Confiscated, the wch is to remaine under Arrest in ye meane while.

The Proclamacon is Entred at large in ye 4th Booke of Entryes.[1] Procla-macon vide Libr: 4tum.

September 1, 1671. Shortly thereafter he engaged in a sword duell at Kingston with Michiel de Modt or Moth, for which he was fined by the local court. His wife was named Hanna. They had a son, James, baptized in 1675.—*General Entries*, vol. 4, p. 34; *Olde Ulster*, magazine, vol. 4, pp. 144–145; Hoes. *Baptismal and Marriage Registers of the Old Dutch Church of Kingston*, p. 9.

[1] Collateral and Illustrative Documents, No. XCV.

Mrs Lane & Daughter to bee releasd.

[152] That Mrs Lane & her Daughter bee Releast upon Bayle, but to bee bound over to ye Geñall Court of Assizes.

Hen: Newton to bee bound over.

Harry Newton [1] ye Keeper to bee Examined & bound over to the same Court likewise.//

A Fast. &c. The Ordr

The Affayre touching a Fast, Proposed by the Dutch Domine.[2] &c:

It's Ordered, That noe particular but a Geñall ffast shall bee Celebrated in this City & Island, on ye Wednesday ffortnight next, & throughout Long Island, Westchester & Places adjacent on the Wednesday following, which will bee Wednesday come 3 Weeks.

Prohibicon of ye Transportacõn of Wheat. suspended a while.

The Businesse about ye Prohibition of the Transportacõn of Wheat to bee deferr'd, with ye Mayor & Aldermens Proposall about Wamp̃m untill some time next Week when a Meeting shall bee had about it.//

Whore-Kill respited.

The Mattr of ye Whorekill to bee respited untill Capt Carr, & those from Delaware doe arrive who are said to bee upon the Way.

The Customrs Complt

Vpon ye Complaint of ye Customrs,[3] wch was had in Consideracõn, This Ordr was made vizt.

[1] Henry Newton was chosen by Governor Nicolls, on July 9, 1667, as marshal of the mayor's court of New York City, to succeed Claes van Elslant, Jr His first year's pay was one hundred florins, seawant. On October 10, 1670, he was known as court's sergeant and mace bearer and was paid five pounds per year as an additional compensation for bearing the mace. He served as messenger to the court of schout, burgomasters and schepens, after the recapture, in 1673. Newton is found also, in 1669, as marshal of the West and North Ridings of Yorkshire.— *Records of New Amsterdam*, vol. 6, pp. 84–85, 141, 260, 348; vol. 7, p. 9; *Orders, Warrants, Letters*, vol. 2, p. 324.

[2] Wilhelmus van Nieuwenhuijsen, successor to Drisius, who had died on April 18, 1673.

[3] At the court of assizes, on October 7, 1672, the taking off of customs from goods was considered. It was objected that the governor's instructions permitted "noe Alteration in what hee found settled by his Predecessor," and that he could, for the present, only recommend approvingly to the Duke of York what was then proposed. Therefore, it was referred first to the bench to consider what would be proper to represent to the Duke of York.— *Court of Assizes*, vol. 2, p. 325.

[153] Vpon Complaint made, That great Abuse doth often happen by ye Liberty Granted, That Custome should bee paid only for such Goods as were Landed & Disposed of here, diverse Merchants & others upon pretence of Transporting of such Goods to other Places, calling for & expecting ye repayment of ye Customes of such Goods back againe; It is Ordered, That from & after ye Date hereof all Customable Goods wch shall bee Landed in this Port or any other part of ye Governmt shall pay the Vsuall Customes for such Goods without any Rebate upon their Transportacõn elsewhere. And Consideracõn being likewise had, that at this juncture & Season (being a time of Warr) little or noe Shipping Arrives here, soe that ye prsent Incomes of Custome is very slender, It is also Ordered, That noe Bills of Store shall bee Granted by ye Officers of ye Customes, Although in better times the Governor will bee pleased to Gratify that way such as may deserve the same. The Ordr

By Ordr &c:

Sopez to bee Governed by English Lawes.

The Lettrs from Esopus taken into Consideration about being Governed by English Lawes;[1] Whereupon It was Ordered as followeth, vizt

The Petition from severall of ye Inhabitts at Esopus being taken into Consideracõn, wherein they desire to have the Priveledge & Benefitt of [154] Enjoymt of ye English Lawes Establisht by his Royall Highness, & in practice almost throughout all his Territoryes, It is Ordered, That ye said Lawes shall bee Settled & practized in ye three Townes at Esopus, as in other Places, for the wch they shall receive particular Instructions. In the meane time ye Inhabitants of Marbleton & Hurley have Liberty to make choice in each Towne by a double Vote of a Constable & [*blank*] Overseers, The Ordr

[1] For the former order and regulations there, see Collateral and Illustrative Documents, Nos. X and XLIV.

& returne their Names unto y^e^ Governour, who will out of them pitch upon the Persons to bee Confirmed in that Employm^t^ for the ensueing yeare; Whereupon they are to take the Oath prescribed in y^e^ Booke of Lawes before a Justice of the Peace for the performance of their Trust.

By Ord^r^ &c:

A New Alderman in loco M^r^ Bedloo. [*sic*]

For a New Alderman in y^e^ Place of M^r^ Darvall to bee respited untill recommended by the Mayo^r^ & Aldermen.// [1]

A New Capt^n^ in Loco M^r^ Bedloo.

For y^e^ Military Command of Capt^n^ in y^e^ place of M^r^ Bedloo, To bee recommended to the Military Officers to returne y^e^ Names of two Persons, out of whom the Governo^r^ will pitch upon one.[2]

[155] At a Councell held at y^e^ Fort June 24^th^ 1673.

Pres^t^

The Governo^r^
Capt Delavall
Capt Steenwijck
The Secretary.
As also y^e^ Mayo^r^
& Aldermen.

About Wamp^m^ being reduct to a greater Value.

The first Thing under Debate is y^e^ Addresse from y^e^ Mayo^r^ & Aldermen to the Governo^r^ about Wampam, being reduced, or some other way in stead of Coyne w^ch^ is wanting to bee found out for the Publick Good.

Vpon Consideracõn had thereupon this following Ord^r^ & PROCLAMATION was made Viz^t^

[1] William Darvall was commissioned an alderman of New York City, October 13, 1672.—*General Entries*, vol. 4, p. 220.

[2] Collateral and Illustrative Documents, No. XCVII. The vacancy in the captaincy of the foot company of New York City was due to the death of Isaac Bedlow.

Proclamacõn about Wamp.m

Viz.t That 3 black shall goe for a Stiv.r & 6 White.—

WHEREAS y.e great Scarcity of Wamp.m throughout these his Royall Highness his Territoryes hath been taken into Consideration, great quantityes thereof being yearely transported & Carryed away by the Indyans, & little or none brought in as formerly, w.ch is conceived to bee [156] occasioned by y.e low Value putt thereupon; And for that there is noe certaine Coyne in y.e Governm.t, but in lieu thereof Wamp.m is esteemed & received as currant payment for Goods & Merchandize as well as otherwise betwixt Man & Man, To the end there may bee an Encouragem.t for the bringing in of y.e said Commodity of Wampam into y.e Governm.t, and that those who have it by them may bee Induced to deliver out y.e same, The Governo.r by & with y.e Advice of his Councell hath thought fitt to Publish & Declare; & by these presents doth Publish & Declare, That from & after the Publication hereof at y.e next Session of y.e Mayo.rs Court in this City, In stead of eight white & four black Wampams, six white & three black shall passe in equall Value thereof as a Stiver or Penny,[1] & three times soe much y.e Value of Silver, the w.ch all Persons are to take Notice of, & bee conformable thereunto. And that noe Person in y.e Governm.t may p.rtend Ignorance herein Copies of this Proclamation are to bee sent & promulgated in Albany, Esopus, & Delaware, & likewise upon Long Island & parts adjacent there to bee in force within Eight dayes after the Knowledge & Publicacõn hereof.//

Given under my hand &c: June 24.th 1673.

Six of these Proclamations were written, 3 for y.e 3 Ridings,[2] 1 for Albany, 1 for Sopus,[3] & 1 for Delaware.// besides 1 for the City.

[1] The value of " eight white and foure blacke " was established on October 10, 1664.—*General Entries*, vol. 1, p. 43. On wampum as money see Beauchamp. *Wampum and Shell Articles used by the New York Indians* (Albany, 1901), pp. 351–356.

[2] East Riding, North Riding and West Riding of Yorkshire.

[3] Esopus, including Kingston, Hurley and Marbletown.

Petiĉon of y^e Bakers about y^e Cure-Mast^r

[157] The Petiĉon of y^e Bakers, & diverse other Inhabitants of y^e City to the Mayo^r & Aldermen about the Surveyo^rship or Cure-Master of Bread & ffloure, p^rsented by them to the Governo^r & Councell;[1]

The Ord^r —

It is Ordered, That what any Merch^t sends upon his own Acc^t is adjudged to bee free (if hee pleases) to have it markt or not, but if it comes to the Weigh-house, & shall bee delivered to Strangers, or for the use of Strangers, It is to bee markt to avoid ffraud therein, & the Charge to bee equally borne, as is before Ordered.

A farther Ord^r —

Moreover upon the Petition of y^e Bakers &c: It is Ordered, That in regard the Governo^r hath already given out his Commission to a Person for y^e Place,[2] hee is to continue in that Employment untill the Inconvenience thereof shall farther appeare, except in the meane time y^e Cure-Master shall wittingly committ any ffraud or Abuse in his Trust, Then hee shall not only bee discharged of his Employm^t, but bee lyable to such Censure as the nature of the Matter shall require.

And all Merch^ts who ship off Caske without Branding w^th y^e Publick Marke shall bee Obliged to have a known Marke of their own.

Transportaĉon of Wheat.

The next Thing is y^e Consideraĉon of y^e Convenience or Inconvenience of Transportaĉon of Corne, that is Wheate in Grayne &c:

M^r Deans Ł^re.

M^r Dean's [3] Letter read, wherein hee mentions to have sold the Governours Winter Wheat, at noe more then 3^{s}: 9^{d} per Bushell.

A Stop upon y^e Transportacon &c:

The Governo^r hath already putt a Stop upon the Trans-

[1] Collateral and Illustrative Documents, No. XCI.

[2] Collateral and Illustrative Documents, No. XCI, where the commission of Christopher Hoogelandt is given.

[3] Thomas Dean, a merchant of Boston, Mass. See *General Entries*, vol. 4, p. 231.

portation, upon Apprehension of the Scarcity [158] that may ensue in these times of Trouble.//

It is Ordered, That ye Prohibition imposed by ye Governor doe remaine in fforce untill the next Genall Court of Assizes,[1] both for the Reasons in the said Order exprest, & for that ye price currant doth not amount to the Sume therein proposed. The Prohibicon to remaine in force till ye Assizes.

This Ordr to bee publish'd.

At a Meeting of ye Governor & Councell wth The Mayor & Aldermen at ye ffort. July 11th 1673.

Present

The Governor
Mr Delavall
Mr Steenwijck
The Secretary.
Mr Mayor Lawrence
Mr Van Ruijven
Mr Oloffe Stevens.[2]

The Matter under Consideracon was a Proposall from ye Mayor & Aldermen now at ye ffarming out of ye New Packt, to take off the Excize of Small Beere & Killing of of Hoggs &c: In lieu whereof to lay some Imposition greater then formerly upon Strong Liquors & Wine.[3] About taking off ye Excize from Small Beer & Cattle Killing.

[1] This general court was never held, on account of the recapture of New York, in the meantime, by the Dutch.

[2] Oloff Stevensen van Cortlandt.

[3] For an order of May 5, 1670, regulating the manner and conditions of paying and receiving the innkeepers or tappers excise, see *N. Y. Colonial MSS.*, vol. 22, p. 101. For the conditions for farming out the inkeepers or tappers' excise in New York City, from May 5, 1671, till May 5, 1672, see *ibid*, p. 114. The farmer of "ye Grand Packt or Tappers Excize" made

The Ordr thereupon.

[159] The Governor & Councell having seriously debated thereupon, It is thought fitt, That the Excize shall not only bee taken off for this Ensueing yeare from Small Beer & Hoggs, but also from Beefe & all manner of fflesh killed here, or otherwise.

In ye Place thereof an Advance shall bee putt upon Strong Liquors, Beere, & Wine as followes.—

Vpon an Ancker of Brandy, Rumm, distill'd Liquors &c: in stead of 2gild -- 5 Sti. —— 4gild: 10Sti:

ffor an Ancker of Spanish Wine, Madera, & Sack, in stead of 2 guilders 5 Stivers —— 3 Gilders

ffor an Ancker of Rhenish or White-Wine in stead of 1 gilders 2Sti. ½ —— 3 guilders

ffor a Tunn of Strong Beere in stead of 1 guilder 10 Stivers —— 2 Guilders//

ffor every Barrell of Syder —— 3 Guilders

New Jersey not included herein, only ye Dukes Dominions, Albany & Sopus excepted.[1]

complaint to Lovelace " that diverse Tappers or Inn holders & others who sell Wine or Strong Liquors by Retayle, doe either delay or refuse to pay ye Excize due from them according to ye Rules & prscriptions of ye Governmt," whereupon the governor authorized the sheriff of New York City " to Levy by Distress soe much as shall appeare to bee due from any person or persons; And those in Arreare are to beare ye Charges thereof."— *General Entries*, vol. 4, p. 128 (April 29, 1672). The soldiers of the garrison of Fort James were exempted from the payment of excise on beer.— *Court of Assizes*, vol. 2, p. 621.

[1] Collateral and Illustrative Documents, No. XCVIII.

COLLATERAL AND ILLUSTRATIVE

DOCUMENTS

I—XIX

No. I.

PROCLAMATION OF FAST DAYS

September 8th and 22d, 1668.

A Warrant for the Publishing a Gen^{rall} day of Humiliacõn throughout his Royall High^{ns} Territoryes. O. W. L. 2:240 (NYSL)

Whereas with the Aduice of my Councell I haue giuen ord^{r} that a Proclamacõn be issued forth for the obseruing a Geñ^{rall} day of Humiliation throughout his Royall High^{ns} Territoryes for the Reasons therein set forth Yo^{u} are therefore hereby authorized & appointed to cause the said Proclamacõn to be publiquely read both in the English & Dutch Tongues this p^{r}sent Thursday at the vsuall houre of Publicacõn at the State house & afterwards to cause the same to be affixed in the most publique places of the Citty that none may plead ignorance but that all persons may duely take notice thereof & for soe doeing this shall be yo^{r} warrant Giuen und^{r} my hand at Fort James in New Yorke this 4th day of Septemb^{r} 1668. 1668 Sept. 4.

[Francis Lovelace.]

To M^{r} Cornelius Stenwicke
Majo^{r} [*sic*] of the Citty of New Yorke.

A Proclamation for the Obseruing a Gen^{rll} day of Humiliacõn throughout his R. Highnes Territoryes O. W. L. 2:294 (NYSL)

Forasmuch as it appeares too manifest that not onely the Land in Generall but this Citty of Newe Yorke in per- 1668 [Sept. 4]

O. W. L. 2: 294 (NYSL)

1668 [Sept. 4]

ticuler lyes now groaning und[r] the afflicting hand of Gods just Judgment in suffering his Minist[r] of death with an unusuall sicknesse to enter amongst us, whereby some are dayly swept away & many more lying on their languishing bedds, expecting each houre their dissolution w[ch] Judgm[t] as it must be confest (w[th] all submission to his diuine pleasure) to proceed from the hand of Almighty God in w[th]drawing his favourable Countenance from us, so likewise it must be acknowledged (w[th] all Contrition & Confusion of face) that o[r] manifold impietyes haue beene the sole Cause of it not onely by o[r] great ingratitude for former blessings rec[d] but by an obstinate perseuerance afresh in all manner of wickednesse more perticulerly in that inordinate & intemperate way of drinking & all manner of Impietyes that attend it in those most frequent oathes, execrations & Cursings to w[ch] some are lead (to the greate scandall of Christianity) to that height of wickednesse that they will wish to be damned euen by those wounds & blood by w[ch] alone they must hope to be saued, All w[ch] crymes as they shall meet w[th] in due tyme all discountenance & seuere punishment to those that are guilty of them so likewise they will admonish & instruct us (awakened by the Judgment we suffer under) to lead us to a hearty contrition & repentance for it; And that God may be inclynd to be gratious & fauorable to us againe in healing o[r] Land by his mercifull reconciliation to us, It is thought at this tyme more then necessary that a Generall day of ffasting & Humiliation be kept; The Gouerno[r] therefore by aduice of his Councell doth appoint that Tuesday next being the Eighth of this instant month is & shall be a day of Humiliation to be kept in this Citty & that the Tuesday fortnight following being the Two & twenti[e]th day of the said monthe be kept in the rest of the Territoryes belonging to his Royall Highnesse And that the Minist[rs] of the respec-

tiue Congregations are desired to signifye ye occasion of this their solemne meeting. O. W. L. 2: 294 (NYSL)

Withall that they recoñend unto ye Protection and direction of Almighty God the Consultations & actions of their Gouernor who is newly constituted ouer them that he may see Justice duely & impartially executed Religion maintained in its purity of doctrine Proprietyes preserued, that all under his Charge may be induced to lead a quiett & peaceable life in all godlinesse & honesty. 1668 [Sept. 4]

That God would protect by his hand of prouidence all those Shipps that are retorned from hence to their natiue Portes, see that not onely peace may be in or Streets, but plenteousnesse in or palaces.

That he would Engraft in or hearts a Spirit of Vnity Charity & brotherly affection to each other.

That at this tyme more especially they would extend their beneuolence to the supporte of the poore wch stands in greate need of their assistance.

These things being recommended to all good Christians considerations there are hopes that they will meet with the good efforts desired; to the Execucon of wch all Officers in their respectiue places are to giue their assistance in seeing those dayes set apart for Humiliation according to the true intent and meaning of this Proclamation And to yeild an obedience thereunto as they will answer the Contrary at their perills & all persons are hereby strictly enioyned to forbeare their ordinary labours on those dayes. Giuen undr my hand at Fort James in New Yorke this [4th][1] day of [September] Anno Dñi 1668.

[Francis Lovelace.]

[1] The portions supplied here are blank in the manuscript.

No. II.

REGULATION OF COMMERCE — EXPORTS AND IMPORTS.

O. W. L. 2:322 (NYSL)

Resolucons for the Settlement of Comerce to & from all his Maties Plantacons in America & othr places to ye Porte of New Yorke & ye rest of his Royall Highness his Territoryes not prohibited by Acte of Parliament.

1668 Nov. 18

First, That all sortes of Prouisions, horses, Cattle, Sheep, & all manner of wooden trade (being the proper product of theise his R. Highss his Territoryes) sent for Jamaica, Barbadoes, or any of ye Cariby Islands, shall pay no Customes or Imposicons undr what name soeuer exported.

That, all Tobacco, Sugers, Cotten, Indico, ffish, Salt, Braziletto, Compechio wood, & all othr Comodityes, being the proper product or merchandise of theise Islands, places or Territoryes, shall pay no Custome imported Potable liquors onely Excepted wch alone shall pay custome at the Rates of 4 per Cent in Currant money specie, or in goods equiuolent.

That, No Tobacco of what sorte soeuer exported into any of his Maties Dominions shall pay any Custome but such quantityes thereof as shall be exported into forreigne partes shall pay halfe penny per pound as in England.

That, all Beauers & Peltrey wch shall be exported into any of his Maties Dominions in America shall pay 10 ℔ Cent:

Shipps from England or wth English goods from othr

Opposite p. 195.

DRAUGHT OF FORDHAM AND THE MEADOW [1669]

(Original Size.)

places shall onely pay 5 ℔ Cent of all goods in Specie imported. O. W. L. 2:322 (NYSL)

All Goods w^ch^ haue paid Customes may be Exported free from New Dutyes, neith^r^ shall any man be Compell'd to unload upon p^r^tence of breaking bulke in the Road paying onely for such goods landed as are lyable to pay. 1668 Nov. 18

And whereas former Copies of Resolutions of this nature being sent abroad haue fallen into the hands of some persons not wishing well to the flourishing Estate of this place who haue adulterated & falsified them contrary to the true intent & meaning of the same It is therefore thought fitt for the undeceiuing of the world to make this Second Publication Giuen und^r^ my hand at ffort James in New Yorke on the Island Manhatans this 18^th^ of Nouemb^r^ 1668.

[Francis Lovelace.]

No. III.

JOHN ARCHER, AND HIS CONTROVERSIES WITH FORDHAM, HARLEM, WESTCHESTER, AND INDIVIDUALS.

[Deed from Elias Doughty to John Archer.] Deeds 3:138 (Sec. State)

Recorded for M^r^ John Arch^r^ this 24^th^ day of September. Anno Dñi 1671.

Know all Men by these p^r^sents that I Elyas Doughty of Flushing doe Sell unto M^r^ John Archer of West-Chest^r^ his Heyres & Assignes ffoure Score Acres of up Land, and Thirty Acres of Meadow lyeing & being betwixt Brothers 1666/7 Mar. 1 etc. Recorded 1671 Sept. 24

Deeds 3: 138 (Sec. State)

1666/7 Mar. 1 etc.

Recorded 1671 Sept. 24

River and the Watring Place at y^e^ End of the Island of Manhatans, and if y^e^ Land be not fitt to Cleare for y^e^ Plow or How, this Land is to lye together; And if there be not all such Land together as there should, or if there should happen to be eight or ten Acres of Land that is not fitt for such Use, Then y^e^ said Archer is to have it with y^e^ rest, and hee shall have equall Right and Priveledge in y^e^ Commons as any otheir Men shall have within that Patent, that hath noe more Arable Land, and y^e^ Meadow is to be mowed all. As Wittness my Hand this first of March 1666. As Wittness if there should lye any more Land, that is to say between ffourty or Thirty Acres, It is all in Common; And I am to give y^e^ said Archer a firme Bill of Sale under my Hand and Seale.

Elias Doughty

Thomas Okeley.

I Elias Doughty doe own to have received full Satisfaction of y^e^ said Archer for y^e^ said Land & Meadow, y^e^ House is yett to be [*blank*] And y^e^ said Arch^r^ is to have his [*blank*] within the above-said Tract of Land.

Septemb^r^ y^e^ 18^th^ 1667.

It is to be understood that M^r^ John Archer is to have the ffreshest Boggy Meadow that lyeth on y^e^ South side of Westchester Path, within y^e^ Patent of M^r^ Oneale within his second of Purchase w^ch^ is upon Consideracõn that y^e^ said John Archer shall pay to y^e^ said Doughty; As witness my hand

Elyas Doughty.

A warr^t to the Constable of West-chester about some Meadow Ground claim'd by Harlem. O. W. L. 2: 182 (NYSL)

1667 Aug. 16

Whereas I am informed that the Inhabit^ts of Harlem have for divers yeares mowed their Hay in the Meadowes on the other side of Harlem River, where John Archer of yo^r Towne pretends an Interest by vertue of a patent graunted for the Yonckers Land to Hugh Oneale & Mary his wife: These are to require you to warne the said John Archer that hee forbeare cutting Hay in those Meadowes this present season, & likewise that hee doe not presume to molest those of Harlem, vntill I shall bee fully satisfyde of the Titles on both parts, & give my Judgm^t thereupon to whom of right the s^d Meadowes doe belong: Giuen under my hand at ffort James in New Yorke. this 16^th day of August. 1667.

R. Nicolls.

[Deed from Elias Doughty to John Heddy.] Deeds 3: 142 (Sec. State)

Recorded for Jn^o Heddy Sept 26^th 1672.

1668 June 7

Recorded 1672 Sept. 26

Bee it known unto all Men by these Presents that I Elyas Doughty of fflushing in the North-Riding of York-shire on Long Island in America w^thin y^e Territoryes of his Royall Highness the Duke of Yorke, under y^e Command of the Right Hon^ble Coll. Richard Nicolls Governo^r Gen^all of the same by Vertue of the Assignac̃on of a Patent from my Brother in Law M^r Henry Oneale & Mary his Wife, have alienated, estranged, demised, bargained, & sold, & doe by these Presents alienate, estrange, demise, bargaine & sell unto John Heddy late of West-Chester w^thin the Riding, & Goverment above-menc̃oned two hundred Acres of Vpland belonging to the said Patent, to beginn at y^e North-side of the Planting ffield, where y^e abovesaid John Heddy shall see

Deeds 3: 142 (Sec. State)

1668 June 7

Recorded 1672 Sept. 26

most convenient; Viz^{t} to beginn at the West, & runn towards the East, the length & breadth thereof to bee as the Purchaser shall see most Comodious; w^{ch} is for and in consideracon of full Satisfaction already received by a Horse; And further I the said Elyas Doughty doe make over and deliver unto the said John Heddy twenty Acres more of Vpland adjoining to the abovesaid two hundred, w^{ch} is all to beginn at the North side of the Planting ffield belonging to William Betts and George Tippett from y^{e} West end of the Land, & to runn in length Eastward towards Bronck's River; And further I the abovesaid Elyas Doughty have sold unto the abovesaid Jn^{o} Heddy one hundred Acres more of Vpland, lying & being in the aforesaid Range for & in consideracon of five pounds to [be] paid upon Bill according to Agreement; All w^{ch} I Elyas Doughty have sold & made over from mee my Heyres & Executo^{rs} to y^{e} said Heddy his Heyres, Executors, Administrato^{rs} or Assignes; To have and to hold forever; Maintaining the same free from any Incumbrances, that may or shall hereafter arise from any Person or Persons, laying any Clayme or Title to the same, Interested in y^{e} above-mentioned Patent. In witness to w^{ch} I have hereunto sett my Hand and Seale this 7th day of June in y^{e} yeare of our Lord, One thousand six hundred sixty eight; & in y^{e} 20th yeare of the Reigne of our Soveraigne Lord Charles y^{e} 2^{d} by the Grace of God, King of England, Scotland, ffrance, & Ireland, Defender of the ffaith &c:

Elias Doughty.—(Seale)

Signed Sealed & Delivered
in the p^{r}sence of us
John Holden.
George T Tippett
his marke.
W^{m} Betts.
Jn^{o} Marshall.

Endorsed on y^e^ Deed as followeth.

Deeds 3:142 (Sec. State)

These may Certify, That y^e^ within menc̃oned three hundred & twenty eight Acres of Land is layd out as followeth; Inprimis, Twenty eight Acres lyeing in one piece, beginning from the Markt tree of W^m^ Betts & George Tippett, from thence running due North 24 Chayne in length, & in breadth due East 20 Chayne, being bounded on the South w^th^ the Land, of W^m^ Betts & George Tippett, & to y^e^ Northward & Westward by y^e^ Land of Cap^t^ Delavall; the other two hundred Ninety two Acres beginning at y^e^ Eastward end of the twenty eight Acres, Running in length due East Eighty Chayne, & in breadth due North Thirty six Chayne & fifty Lincks, being bounded to y^e^ Southward by the Lands of W^m^ Betts & George Tippett; & to y^e^ Eastward, Northward, & Westward by y^e^ Lands of Cap^t^ De-Lavall; w^ch^ aforemenc̃oned Land was survey'd & layd out by mee as afore exprest. Given under my Hand this 3^d^ day of Septemb^r^ 1672.

1668 June 7

Recorded 1672 Sept. 26

Robert Rider.

The Sense & Judgm^t^ of y^e^ Co^rt^ concerning y^e^ verdict given for Ramsden ag^t^ Oneale.

O. W. L. 2:466 (NYSL)

These are to Certify all whom it may concerne that at y^e^ Tryall had at y^e^ Assizes in y^[e]^ yeare 1666 between Hugh Oneale and John Ramsden though y^e^ verdict and iudgment of y^e^ Co^rt^ was given for Ramsden against Oneale, yet it was then declared and was the sense of y^e^ Co^rt^ that it was no way in preiudice to y^e^ Patent belonging to Youncker vander Donck, who ought to have his full proporc̃on of Land according his Said patent notwithstanding. Dated at New Yorke this 1^st^ day of July 1668.

1668 July 1

Matthias Nicolls Sec^r^

Deeds 4:95 (Sec. State)

[Confirmation of Gift from Elias Doughty to George Tippett.] [1]

1668 July 6

Bee it knowne unto all Men by these p^rsents that I Elyas Doughty In Confirmation of the Guift of an Island lying & being within the Liberty of my Pattent Concerneinge y^t land w^ch was once Youncker Van Dunckes which I gave ffreely unto George Tippett or his Order, May 1667, I now Confirme & Establish the same, under my hand and Seale this Sixth day of June anno, 1668 & in the twentyeth yeare of the Reigne of our Sov^rraigne Lord the King.

Elijas Doughty (seale)

Signed Sealed & Delivered
in p^rsence of us
John haden[2]
John Holden

Deeds 2: 199 (Sec. State)

Recorded for George Tippett of Spiting Devill Feb^ry 27^th 1668.

1668 July 6

Recorded 1668/9 Feb. 27

Be it knowne unto all men by theise p^rsents that I Elias Doughty in Confirmation of y^e Guift of an Island lying & being w^thin y^e Liberty of my Pattent concerning that Land w^ch was once Youncker vand^r Duncks w^ch I gaue freely unto George Tippett of his ord^r in May 1667. & now do confirme & Establish y^e same und^r my hand & Seale this 6^th day of July Anno 1668. & in y^e 20^th yeare of y^e Raigne of our Soveraigne Lord y^e King &c

Elias Doughty (seale)

Signed & Deliuered in
y^e p^rsence of us.
Jn^o Holden
Jn^o Hackden[3]

[1] Two record copies are given because they exhibit variations.
[2] John Heddy or Hedden.
[3] John Heddy or Hedden.

[Deed from Elias Doughty to Betts and Tippett.]

Deeds 3: 134 (Sec. State)

Recorded for George Tippett ffebry 22th 1670.

1668 July 6

Recorded 1670/1 Feb. 22

Be it knowne unto all men by theise prsents that I Elias Doughty of fflushing in ye North Ryding of Yorkshire on Long Island in America wthn ye Territoryes of his R. Hss ye Duke of Yorke undr ye Comãund of ye Rt. Honble Coll Richard Nicolls Governor Genrll of ye Same haue by vertue of ye Assignation of a Pattent from my brother in Law Mr Hugh Oneale & Mary his wife alienated estranged demised bargained & sould & do by theise prsents alyenate estrange demise bargaine & sell a parte & parcell of that Land & meadow belonging to ye said Pattent for & in consideration of a considerable Sume receiued & to receiue wch land & meadow I th'abouesaid Doughty haue sold unto William Betts & Georg Tippett who are possest of parte of ye same (vizt) ye said Land & meadowe wch was formerly in ye possession & occupation of old Youncker van der Dounck, ye planting feild belonging to ye said Purchase to be of ye north syde of ye said purchase, ye marked trees making mention of ye Same, & wch runs west to Hudsons Ryver & East to Broncks his Ryver wth all ye Upland from Bronx his Ryver Southward to Westchester path, & so runs due East & west beginning at ye boggy Swamp wthn ye Libertye of ye said Pattent & ye Southward most bounds to run by ye path that runneth or lyeth by ye north end of th'aforesaid Swamp & so to run due East to Broncks his Ryver & due west to that meadowe wch cometh from ye wading place, wth all ye meadowe from ye Stake wch is on ye Eastward syde of th'abouesaid wading place wch is now in controversy betweene me ye abouesaid Doughty & some Inhabitants wthin Harlem, wth all ye meadow betwixt th'abouesaid Stake Eastward & Hudsons Ryver westward from ye abouesaid wading place at ye hithermost end of Manhatans Island, wth all ye Upland

Deeds 3: 134 (Sec. State)

1668 July 6

Recorded 1670/1 Feb. 22

betwixt that & Hudsons River westward & so running northward to ye East & west lyne before mentioned at ye end of ye planting feild Except ye thirty Acres of meadowe wch I haue sold unto Mr John Archer wch ye abouesaid Betts and Tippett is to see ffourmed unto ye abouesaid John Archer, & for that parcell of meadowe wch is nowe in Controversy betweene ye Harlem men & my Selfe if it be recovered by them or their order they shall peaceably enjoy ye Same according to ye Tenor of ye Pattent paying unto me or my order Ten pounds of Current passable pay according to ye Custome of theise partes, & in Case ye same due shall be recovered then Mr John Archer his proportion of Thirty Acres of meadowe is to run upward by ye Island where he is to haue ye full complement of ye said Thirty Acres, All wch I haue from my selfe my heires or any othr ffson or ffsons interested or concerned in ye said Pattent Sold & made over unto ye afore-mentioned William Betts & George Tippett or eithr of them their heires Executors or Assignes To haue & to hold for ever, & ye Same peaceably & quietly to enjoy maintaining ye Same free from all Incumbrances of any ffson or ffsons concerned in ye Pattent Indians Excepted, It is to be understood that Mr Archers meadowe is to be laid out in Case Harlem men enjoy their possession at ye Stake parting ye said meadowe in controversye & ye other meadowe wch I haue possest them of, In witnes whereof I haue hereunto sett my hand & Seale this 6th Day of July Anno Dñi 1668 & in ye 20th yeare of ye Raigne of or Soveraigne Lord Charles ye Second by ye Grace of God of England Scotland ffrance & Ireland King Defender of ye faith &c

Elias Doughty

Signed Sealed & delivered
in ye prsence of us
John Holden
John Hadon[1]
John Marshall.

[1] John Heddy or Hedden.

A Warrant for Georg Tippett & Richard Betts to deliuer vp Thomas Wandalls Hay: O. W. L. 2:238 (NYSL)

1668 Sept. 3

Whereas Thomas Wandall hath made Complaint unto mee, That hauing hired a parcell of meadowe ground neare Spiting Divell of John Archer & mowed the same for his wintr prouision of hay wch you quietly suffered him to doe wthout any disturbance or prtence thereunto yet when he came to fetch away the hay wch he had mowed yu opposed him & since haue carried it away yorselues laying clayme to the said meadow These are to require yu that vpon sight hereof yu deliuer up unto the said Thomas Wandall all that parcell of hay wch he hath mowed as aforesaid & wch yea carried away He hauing no tyme now to make provision elsewhere being about a publique Imploymt of making up his proporc̃on of wall in this Citty. And if hereaftr the title at law being decided (betwixt yu & the persons concerned) it shall appeare that the said meadow ground doth belong unto yu Then the said Thomas Wandall shall make yu paymt & satisfac̃on for the same according as shall be adiudged reasonable by two indifferent men to be Chosen betweene yu Giuen undr my hand at Fort James in New Yorke the 3d day of Septembr 1668.

[Francis Lovelace.]

To Georg Tippett &
Richard Betts.

The Constable of Westchestr is to see this warrt put in execuc̃on if occasion be.

An Order concerning John Archers Land vpon the Maine. O. W. L. 2:276 (NYSL)

1668 Nov. 6

Whereas the Inhabitants of the Towne of Harlem haue made Complaint against John Archer that haueing seated

O. W. L. 2: 276 (NYSL)

1668 Nov. 6

himselfe very neare unto some Lotts of meadow ground vpon the maine belonging unto their Towne he is a dayly trespasser vpon them with his Cattle & that the said ground lying in Length alongst the Creek or Kill cannot wthout very great charge be fenc't in Vpon a full hearing of what can be said or alleadged on both partes It is this day ordered that the said John Archer doe within fifteene dayes after the date hereof bring in the Originall Pattent of the Land where he now liues & that he then make appeare by what right or title he Claymes an interest there after which tyme some persons shall be appointed to view the said meadowe ground as also the lands adiacent in the possession of the said John Archer who are to make reporte how the meadowe may be best p^{r}serued from further damage & Trespasse Given under my hand at Fort James in New Yorke this 6th day of Nouemb^{r} 1668.

[Francis Lovelace.]

O. W. L. 2: 277 (NYSL)

John Archers Land neare Spiting Divell belong^{g} to the Towne of Harlem.

1668 Nov. 6

Whereas the Inhabitants of the Towne of Harlem haue made Complaint against John Archer that vpon p^{r}tence of a certain purchase he layes Clayme to a certaine parcell of Land vpon the Island neare Spiting Divell w^{ch} is within the lymitts & bounds of their Patent & of right belongeth to their Towne Vpon a full hearing & debate of the matter in difference on both partes It is this day adiudged that the land in Controuersy doth belong to the Towne of Harlem by vertue of their Patent & that the former ground breife or Patent graunted by Governo^{r} Kieft is of no validity it being forfeited by seuerall actes of the Government Howeuer in regard the owners thereof haue susteyned losse vpon the

said Land it's recomended that some expedient be found out to make payment to them of so much as the first agreement for the sale thereof was made Giuen under my hand at Fort James in New York this 6th day of November 1668. O. W. L. 2: 277 (NYSL) 1668 Nov. 6

[Francis Lovelace.]

An Order for John Archer to remaine in peaceable possession of his land till the 14th day of Febr next. O. W. L. 2: 290 (NYSL)

Whereas by an order of the 6th instant John Archer was appointed by the one & Twentith [*sic*] day of this Month to bring in the originall Patent of the Land where he now liues & also that he should make appeare by what right or title he claymes an interest there He hauing accordingly this day appeared when the Record of the originall Patent was viewed but his title being not so clearly made out as it ought to be & as he alleadges in some shorte tyme he can doe It is this day ordered that the said John Archer haue further tyme for the clearing thereof till the 14th day of February next In the meane tyme he is to remaine in peaceable & quiett possession of what he now enioyes wthout any disturbance or molestation he giuing no iust cause of complaint to his neighbours Giuen under my hand at Fort James in New Yorke this 21th day of Novbr 1668. 1668 Nov. 21

[Francis Lovelace.]

An Order for the Releasement of John Archers Cattle formerly attached. O. W. L. 2: 296 (NYSL)

Whereas you did heretofore lay an Attachement vpon some Cattle belonging to John Archer vpon prtence of some difference betweene you; You are hereby ordered to release 1668 Nov. 21

O. W. L. 2: 296 (NYSL)

1668 Nov. 21

the said Attachement so that the said Cattle may be free & at his owne disposall The matter in dispute betweene yo^{u} vpon that account already hauing beene heard & issued before mee Giuen under my hand at Fort James in N. Yorke this 21th day of Nouember 1668.

[Francis Lovelace.]

To the Constable & Ouerseers
of New Harlem.

Deeds 3: 144 (Sec. State)

[Deed from William Betts to John Heddy or Hedden.]

Recorded for Jn^{o} Heddy afores^{d} die & A^{o} p^{r}dictis.

1668 Dec. 4

Recorded 1672 Sept. 26

Bee it known to all Men whom these p^{r}sents may concerne, that I W^{m} Betts Inhabit^{t} of West-Chest^{r} in y^{e} North Riding of New Yorkshire have, and doe by these Presents Bargaine, sell, and sett over a certaine parcell of Land in quantity twenty foure Acres four Acres adjoyning to Jn^{o} Heddy's House in the old ffield, & the other sixteen Acres lyeing Southward of the Old ffield, w^{ch} I [*sic*] John Heddy hath in possession, & the other foure Akers is Meadow Ground ffresh & salt, lying wthin the tract of Meadow, w^{ch} the said Betts bought of M^{r} Elyas Doughty; I say I have sold the above-men$\tilde{c}$oned Lands, wth all Rights, Titles, Priveledges, & Proffits, Benefitts, & Emoluments in & about y^{e} Premisses that is or hereafter shall arise from mee my Heyres, Executo^{rs}, Administrato^{rs} or Assignes, unto John Hedden of the same Place & County to him the said Hedden his Heyres, Executo^{rs}, Administrato^{rs}, or Assignes; To have and to hold ffree Land as from mee and mine, to him the said Hedden & his as abovesaid; & I the abovesaid Betts doe binde mee & mine as aforesaid to defend the abovemen$\tilde{c}$oned Premises from all & any Persons or Proprieto^{rs} that shall or may arise, the Indyans only

excepted, good and warrantable to the abovesaid Hedden & his as aforesaid; And the aboves[d] Hedden is to Summer noe more Cattle on the aboves[d] Premisses then hee doth Winter on the abovesaid Premisses, & I the abovesaid Betts doe acknowledge to have full satisfaction of John Hedden for the abovesaid Lands; As Witness my Hand this 4[th] of Decemb[r] An[o] 1668. & in y[e] 21[th] yeare of his M[a]̃[ties] Reigne Charles y[e] 2[d] King of Great Brittaine Scotland, ffrance & Ireland, Defender of the ffaith King.

Deeds 3: 144 (Sec. State)

1668 Dec. 4

Recorded 1672 Sept. 26

W[m] Betts.

Testes
Thomas Hicks.
Benjamin fford.

[Caveat on behalf of Town of Westchester.]

C. A. 2: 529 (NYSL)

Feb[ry] 13[th] 1668.

A Caveat was this day Entred by Richard Ponton John Ferris & Joseph Palmer on y[e] behalfe of y[e] Towne of Westchester, That y[e] Land where John Archer is seated or any from him if not included in y[e] Pattent graunted to M[r] Oneale & his wife is claymed by the Towne of Westchest[r] to belonge to them as w[th]in their Lymitts.

1668/9 Feb. 13

A Co[m]̃ission graunted to M[r] Jn[o] Richbell, M[r] W[m] Lawrence, M[r] Tho: Wandall & a[l] &c to decide y[e] difference betweene y[e] In[h]itants of Westchest[r] & a[l] &c

O. W. L. 2: 338 (NYSL)

Francis Louelace Esq[r] &c Whereas I am given to understand that there are severall disputes & differences arisen betweene y[e] Inhabitants of y[e] Towne of westchest[r] & diuers

1668/9 Feb. 24

O. W. L. 2: 338 (NYSL)

1668/9 Feb. 24

others wᵗʰin their pʳcincts who haue perticuler patents of their owne That is to say betweene yᵉ Inhabitants of Westchestʳ & Wᵐ Willett for some meadowes neare unto or about Cornells Neck, wᶜʰ they lay clayme to as also between them & Thomas Hunt about Coñonage upon Throckmortons Neck, & a watring place wᶜʰ he alleadges he hath a long tyme enjoyed, & likewise with John Archer about yᵉ Lands he is seated upon by vertue of a Patent graunted to Hugh Oneale & Mary his wife formerly called yᵉ Younkers land These are to nominate authorize & appoint & by this my pʳsent Coñission youᵘ are nominated authorized & appointed to be Commissionʳˢ to view yᵉ Lands & meadowes in dispute as also to Examyn into & heare yᵉ matters in difference & what can be shewed & alleadged on eithʳ parte To wᶜʰ purpose youᵘ may peruse their Patents & any other wrytings or Records relating thereunto as also call before youᵘ & Examyn any wittness or wittnesses yᵉ better & more fully to informe yoʳselues of yᵉ Truth youᵘ are to give yoʳ Judgmᵗ thereupon accordingly by yᵉ first day of Aprill next of wᶜʰ youᵘ are to rendʳ me an Account And yoʳ Determinaĉon or yᵉ Majoʳ parte of youᵘ in yᵉ pʳmisses shall be a finall Conclusion of all such matters in dispute & difference betweene yᵉ said partyes unlesse any or either of them shall upon good ground finde cause to appeale from yoʳ sentence to yᵉ superior Court of this Governmᵗ at yᵉ Geñrˡˡ Assizes Given undʳ my hand & Seale at ffort James in New York this 24ᵗʰ day of February in yᵉ 21. yeare of his Maᵗⁱᵉˢ Raigne Annoꝙ Dñi. 1668.

To

Mʳ John Richbell of Momoronock
Mʳ Wᵐ Lawrence of fflushing
Mʳ Tho: Wandall of Maspeth Kills
Mʳ Jaques Coutilleau of New Vtrecht
Mʳ Resolved Waldron of New Harlem.

A warr[t] to John Archer to take vp a stray horse. O. W. L. 2:404 (NYSL)

1669 Apr. 30

These are to empower you to make enquiry after and to take up if hee can bee found a certaine Stray horse running in y[e] woods or Some other place neare unto or about yo[r] Towne of West-Chester the Said horse being of a gray Col[r] and branded with an Anchor on y[e] neare Should[r], And that you cause him to bee brought to this Towne, where hee Shall remaine untill it bee made appeare to whom it doth with right belong, or bee disposed of as y[e] Law shall direct And for So doeing this Shall bee yo[r] warrant. Given under my hand at Fort James in New Yorke this 30[th] of Aprill 1669.

Fr. L:

To John Archer alias
Coopall These.

Another to take up a stray Bull.

These are to empower you to take up a certaine Stray bull now running at yo[r] Plantac̃on about 3 yeares old the which you are to marke and if you find it convenient geld him and if the right owner appeare not to claime him within the tyme in the Law prescribed that you dispose not of him without my order. Given under my hand at Fort James in New Yorke this 30[th] day of Aprill 1669

Fr. L.

To John Archer
These.

Liberty to John Archer to settle 16 familyes at Spiting Devill. O. W. L. 2:406 (NYSL)

1669 May 3

These are to certify all whome it may concerne That I haue given leaue to John Archer to Settle Sixteene familyes

O. W. L. 2:406 (NYSL)

upon the Maine neare the wading place according to directions formerly given, and that what agreem^t hee Shall make with y^e Inhabitants as to their proporc̃ons of improvable

1669 May 3

Land and homelotts; I Shall bee ready to confirme, but do respite the Setting out the uttmost bounds for their Range, untill I Shall come once more upon y^e Place after w^ch I Shall grant a patent for their further assurance. Given under my hand at Fort James this 3^th day of May 1669:

Fr. L.

O. W. L. 2:456 (NYSL)

An Ord^r forbidding y^e furth^r proceedings of John Archer to cutt grasse, on y^e meadow belonging to Harlem.

1669 June 3

Whereas I am given to understand that without leave or order you haue presum'd to cutt the Grasse upon y[^e] Meadow ground or Valley which belongs to y[^e] Inhabitans [*sic*] of Haerlem and is within their patent. These are to Require you to proceed no further therein and that you forbeare giving them any molestac̃on as you will answer y^e Contrary at yo^r Perill. Given under my hand at Fort James in N: Yorke this 3^d day of June 1669

[Francis Lovelace.]

To John Archer alias
Copeall or any other the
Inhabitants at Spiting
Devill whom this may
concerne.

O. W. L. 2:488 (NYSL)

Ord^r forbidding y^e cutting of hay at Spiting Devill.

1669 July 27

Whereas Complaint is made unto mee that some of you doe cut and Carry away a greater proporc̃on of hay out of

the meadow or valley lyeing betweene you and John Archer then doth belong unto you so that you leave those farmers at Fordham neare Spiting Divell destitute though John Archers tittle doth precede yo^r. These are to require you that you doe not cutt or Carry away any more hay but leave y^e same as now it is untill I shall come or send to view the ground and give my Judgm^t to whome of Right it doth belong. O. W. L. 2:488 (NYSL) 1669 July 27

My pres^t intent is to bee there on thursday next. Given under my hand at fort James in New Yorke this 27^th day of July 1669.

[Francis Lovelace.]

To Richard Betts
and G Teppett and [*sic*][1]

An Ord^r forbidding y^e disturbance of Jn^o Archer in y^e injoym^t of his land at Spiting Devill. O. W. L. 2:517 (NYSL)

Whereas I am giuen to understand y^t y^e surveyo^r hath laid out a sufficient quantity of meadow ground for yo^r three farmes neare unto yo^r habitation w^ch is much more in Proportion then any of y^e Lotts at Spiting Devill can be supplyed w^th These are to require yo^u that yo^u forbeare giving any disturbance to John Archer or any of those farmes at ffordham, & that yo^u doe not p^rsume to cutt their grasse but content yo^rselues w^th what is laid out for yo^u w^thin yo^r lymitts, Giuen und^r my hand at fforte James in New Yorke this 23^th day of August 1669. 1669 Aug. 23

[Francis Lovelace.]

To William Betts &
George Tippett.

[1] Apparently the name of John Heddy is omitted.

O. W. L. 2: 536 (NYSL)

An Ordr for Willm Heyden & Sam: Drake of Eastchestr to make inquiry in ye mattr between Jno Archer & ye farmers &c.

1669 Sept. 11

Whereas John Archer on ye behalfe of himselfe & ye rest seated at ffordham about some hay cutt & carryed away from each others proportion of meadow ground, & both partyes being willing to putt their Case to a refference to be judged by youn two These are therefore to authorize youn to make inquiry into ye matter & to ordr it soe that if John Archer hath cutt & carryed away any grasse from ye meadow belonging to ye three farmes or if they haue cutt or carryed away any from ye proportion assigned to Fordham that an Estimate be made of each proportion, & that those who haue taken more then their share doe make satisfaction to ye othr Giuen undr my hand at ffort James in New Yorke this 11th day of Septbr 1669.

[Francis Lovelace.]

To William Hayden &
Drake of Eastchestr

Deeds 3: 127 (Sec. State)

[Indians' Deed to John Archer.]

Entred for John Archer March 4th 1669.

1669 Sept. 28

Recorded 1669/70 March 4

Be it knowne unto all men by theise prsents that upon ye 28th day of September in ye 21th yeare of ye Raigne of our Soveraigne Lord Charles the Second by ye Grace of God of England Scotland France & Ireland Kinge Defendr of the faith &c Annoqꝫ Domini 1669. Wee Tachareth, Nismetarhatinn, Wackha, Punckekch, for & on ye behalfe of Ahwaroch, Achipor, Minquaes Sachemache, for & on ye

behalfe of Annetie Pownock, for & on y^e^ behalfe of Lyssie, & we on y^e^ behalfe of y^e^ rest of y^e^ Owners for the consideration hereaft^r^ exprest Have Graunted bargained & sould & by theise p^r^sents doe hereby Graunt bargaine & sell unto John Archer of Fordham his heires & Assignes a certaine Tract of Upland & meadow ground upon y^e^ maine, begining Westward from a certaine place by y^e^ Indians com̃only called Mascota so it goes to anoth^r^ place called by them Yowahamasing & from thence Round about y^e^ Kill called Papiriniman & so to run into Harlem Ryver at y^e^ Hook called Saperewack, from thence it reacheth South East to y^e^ Place called Achquechgenom & from thence it reacheth alongst Bronckx Ryver to Cowangongh, so on to Sachkerah & so to the first place Mascota, so that from Mascota to Sackerath It runs upon a straight East Lyne to Bronckx Ryver, & from Saperewack to Acqueckgenom South East to y^e^ said Ryver, All w^ch^ said Tract of Land as it is before described Wee the aforesaid Indians on the behalfe of our selues those that have intrusted us & our Associates, Have sould unto y^e^ said John Archer his heires & Assignes for & in consideration of Thirteene Coates of Duffells, One halfe Anchor of Rum̃e, Two Cans of Brandywyne w^th^ seuerall other small matters to y^e^ Value of sixty Guilders Wampom, All w^ch^ we acknowledg to haue Receiued of him the said John Archer before th'ensealing & deliuery of theise p^r^sents in full satifaction for y^e^ Lands aforemen-c̃oned, The w^ch^ we doe hereby resigne & make over unto y^e^ said John Archer his heires & Assignes w^th^ all o^r^ Right Title & interest thereunto as also theirs that haue intrusted any of us & o^r^ Associates To have & to hould the said Tract of Land & p^r^misses unto y^e^ said John Archer his heires & assignes unto y^e^ proper use & behoof of him y^e^ said John Archer his heires & assignes for ever, free quitt & cleare

Deeds 3: 127 (Sec. State)

1669 Sept. 28

Recorded 1669/70 March 4

Deeds 3 127 (Sec. State)

from all or any former bargaine & sale, or any oth^r Incumbrances by us or by any from or und^r us, & to y^e utmost of o^r powers shall keep & saue him the said John Archer his heires & assignes harmlesse in his or their quiett possession & Enjoyment of y^e p^rmisses against any othe^r Indian p^rtenders whatsoever In witness whereof we haue hereunto put o^r hands & seales y^e day & yeare first w^thin wrytten.

1669 Sept. 28

Recorded 1669/70 March 4

This bargaine & sale was made by y^e Approbation & Lycence of his Hono^r y^e Governour betweene y^e Partyes menc̃oned: w^th this Provisoe That his Royall Highness his Rights & Priviledges as Lord Proprietor of theise his Territoryes be hereby noe way infringed

Matthias Nicolls Sec̃r

C. A. 2: 420 (NYSL)

An Ord^r for y^e proporc̃oning y^e quantity of meadow for Jn^o Archer at Fordham.

1669 Oct. 8

Whereas Complaint is made unto me That John Archer doth lay clayme unto a greater proporc̃on of meadow ground at Spiting Devill then he made purchase of from Elias Doughty, I doe hereby order that he shall haue his full proportion of meadow layd out for him, lying nearest & most Conuenient for y^e new Towne of ffordham but no more & that y^e remainder do belong to Willm Betts, & George Tippett according to their purchase reserving onely what hath beene layd out for y^e fferry to y^e w^ch they shall haue no furth^r p^rtence. Giuen und^r my hand at ffort James in New Yorke this 8^th day of October 1669.

[Francis Lovelace.]

An Ordr concerning ye meadowe in dispute betweene John Archer of ffordham & William Betts & Georg Tippett.

C. A. 2: 565 (NYSL)

1670 July 7

Whereas There hath beene a difference long since depending betweene John Archer of ffordham & William Betts & George Tippett of ye farmes neare adjoyning for & concerning ye Laying out of a certaine parcell of meadow ground sould unto them by Elias Doughty, Upon Examination into & due consideration had of ye prmisses, It is this day ordered, That John Archer shall haue Thirty Acres of meadow ground as his Complement of what hath beene sould unto him, ye wch shall be ye same meadowe formerly laid out for him by Jaques Cortileau ye Surveyor & since likewise Survey'd by Robert Ryder begining beyond ye Swamp & ye remaindr of ye meadowe wthin the purchase is to be & belong unto ye said Willm Betts George Tippett & Company according to ye Tenor of their bill of sale wth a reservation of ye Swamp or Marish ground not esteemed meadowe lyeing in ye bottom before ye Towne of ffordham wch for ye prsent shall belong to ye Inhabitants of ye said Towne Always provided, That neithr ye said Archer nor ye said Betts & Company or any of them by vertue of their bills of Sale or othr prtences doe lay clayme to ye meadowe ground laid out in Lotts & belonging to some of ye Inhabitants of ye Towne of Harlem whose Right to ye same is not any way hereby infringed Given undr my hand at ffort James in New Yorke this 7th day of July 1670.

[Francis Lovelace.]

G. E. 4: 58 (NYSL)

An Ordr directed to Capt Jaques Cortelijau requireing him to lay out John Archers Land at ffordham als Spiting-Devill.

1671 Oct. 18

These are to require you that wth yor first Convenience you repaire to ffordham neare Spiteing-Devill, & that according to yor best skill & Judgmt you lay out for & upon ye Accot of John Archer of ye same Place ye Land wch hee possesses or hath purchased of Elyas Doughty, or of ye Indyans by my Approbacon; ffor yor better Directions wherein you are to view his Papers & Writeings, & withall to Advize wth such of ye Neighbourhood as you thinke can give you ye best Light & Assistance therein, That hee entrench not upon his Neighbours Right; of all which you are to render mee an Accot And for soe doeing This shall be your Warrant. Given under my Hand at fforte James in New Yorke this 18th day of October 1671.

ffran: Louelace

To Capt Jaques Cortelijau
Surveyor Genll.

Deeds 3: 140 (Sec. State)

[Report in relation to Survey of Archer's Land at Fordham.]

New Yorke Novem: 9th 1671.

Recorded for John Archer.

1671 Nov. 9

By Ordr from ye Governor Lovelace, wee have Layd out John Archers utmost Lymitts of his Land at ffordham, beginning from ye High-Wood-Land that lyes right North-West over against the first Pointe of ye Maine-Land, North-East from Papiriniman, there where the Kill Maskota lyes, & soe goes alongst ye said Kill; ye said Land stretching from ye High-Wood-Land aforemenconed East South East, till you

come to Bronckx his Kill, & soe Westward up alongst y^e^ Maine Land to y^e^ Place where Harlem Kill & Hudsons River meet together, & soe goes alongst y^e^ said Kill of Harlem, untill you come to y^e^ first ffountaine, lyeing to y^e^ South of Crabbs Island, & soe Eastward alongst Daniel Turneurs Land, y^e^ High Wood-Land, & y^e^ Land belonging to Thomas Hunts, & then to Broncks his Kill aforenamed; This was done w^th^ a Compass made for y^e^ Climate of Europe. Deeds 3: 140 (Sec. State) 1671 Nov. 9

Jaques Cortelijau — Surveyo^r^ Gen^rll^
Dudley Lovelace.

An Ord^r^ to restrayne Betts & Tippett from doeing Trespass upon y^e^ Land belonging to John Archer of ffordham. G. E. 4: 191 (NYSL)

Whereas there is Comp^tt^ brought by M^r^ Jn^o^ Archer, That notwithstanding the Orders made by y^e^ Governo^r^ that the Swamp or Bagg of Meadow near y^e^ Towne of ffordham should belong to the said Towne, & that a Division of the Meadow hath by his Hono^r^ been at severall times made by Surveyo^rs^ appointed to doe the same, between y^e^ said Jn^o^ Archers Land at ffordham, & y^e^ ffarmes belonging to William Betts, & George Tippett, yett the said Betts & Tippett, or some from them or by their Order, have mowed upon the Meadow, adjudged to y^e^ said John Archer, & laid out for the said Towne of ffordham; These are in his M^ties^ Name to require you to forewarne the said Betts & Tippett, or any employ'd by them, from trespassing upon any of the Meadowes aforemen̄coned, & that you bee aiding & assisting to the Inhabit̄^ts^ of ffordham in what concerns their Right to y^e^ said Meadows, of w^ch^ all Persons are to take notice, & give Observance hereunto, as they will answer their Trespass, & breach of y^e^ Governo^rs^ severall Ord^rs^ upon this Occasion 1672 Aug. 16

G. E. 4: 191 (NYSL) at their Perill. Given under my hand in New Yorke this 16th day of August 1672.

Matthias Nicolls
In ye Absence of ye Governor

1672 Aug. 16

To ye Constable of Fordham & Officrs there.

G. E. 4: 195 (NYSL)

A Speciall Warrt for Hearing & Tryall at ye Genall Cõrt of Assizes, in a difference depending between Jno Archer, & Betts & Tippett.

1672 Aug. 23

Whereas there have been severall Disputes & Contests between John Archer of ffordham nigh Spiting-Devill on ye behalfe of himselfe & ye Inhabitants of the said Place, and William Betts, George Tippett, & ye Inhabitants at ye three ffarmes upon the land called Younckers Land, touching the Bounds & Lymitts between the Land of the said John Archer, & ye Inhabitants of the three ffarmes, & more particularly concerning their Meadowes, the wch was supposed long since to bee decided, wherein I had the trouble severall times to goe upon the Place in Person, & at others to send Commissionrs & Surveyorrs who having made their Reports, diverse Orders have proceeded thereupon from my selfe & Councell, for the determining of their Differences, & ascertaining of the Bounds of their Lands & proporcõns of Meadow, Yet notwithstanding all Orders to the contrary, the said William Betts or his agents have lately prsumed to mow, & carry the Hay away from within the prcincts of the Meadow adjudged to belong to the said John Archer & Towne of ffordham; These are in his Mãties Name to require the said William Betts, and George Tippett, or whoever else of the 3 ffarmes aforemencõned are concerned in the Trespass or Clayme to ye Meadow aforesaid, That they make their Appearance at ye next Genall Cõrt of Assizes to bee held

in this City, beginning on y^e^ first Wednesday in October next, then & there to make Answer to y^e^ Comp^lt^ of John Archer in an Action of Trespass, & also for the breach of the severall Ord^rs^ made by mee and my Councell in this behalfe; Hereof they are not to fayle as they will answer the contrary at their perills. Given under my Hand and Seale at fforte James in New Yorke this 23^th^ day of August 1672. G. E. 4: 195 (NYSL) 1672 Aug. 23

[Francis Lovelace.]

To y^e^ Constable of Fordham who is to see this Warrant putt in Execuc̃on, & a returne thereof made at y^e^ Co^rt^ of Assizes.

An Ord^r^ about y^e^ Manno^r^ of ffordham, viz^t^ that a Co^rt^ bee kept there quarterly, & that M^r^ Jn^o^ Rider bee Steward & Presid^t^ G. E. 4: 277 (NYSL)

Whereas M^r^ Jn^o^ Archer having obteyned a Patent from mee for a certaine Parcell of Land upon y^e^ Maine (of w^ch^ hee had made Purchase) lyeing & being over against this Island Manhatans, neare Spiting Devill, where a New Village is seated, & is called ffordham, unto y^e^ w^ch^ I have thought fitt to Grant y^e^ Priveledge of a Manno^r^, & the said M^r^ John Archer being the Principall Proprieto^r^ having requested of mee, That being y^e^ Principall Proprieto^r^ for y^e^ Decision of Matters of Debt & Trespasse between him & his Tenants, or between one Tenant & another there may bee held a Court quarterly, or as often as there shall bee Occasion, of w^ch^ some Person as Steward of the Manno^r^ shall bee Presid^t^, taking as his Assistants y^e^ Constable of y^e^ Place, & one or two more of the discreetest of the Inhabitants; The holding of a Court there by y^e^ Constable & Overseers being not practicable amongst 1673 Apr. 10

G. E. 4: 277 (NYSL)

1673 Apr. 10

them in their New Settlement, By these Presents I doe well approve of y^e^ Proposall afore-mentioned, & doe Order That there shall bee held for y^e^ said Manno^r^ of ffordham a Court quarterly or oftner if Occasion shall bee the first Court to bee on y^e^ 24^th^ day of this Instant Month where the Steward for the time shall bee Presid^t^ & that hee take as his Assistants y^e^ Constable of y^e^ Towne, & one or two more of the discreetest of y^e^ Inhabitants as afores^d^ or Neighbourhood, for the Decision of all Differences of Debt or Trespasse between the Landlord & Tenants, or one Tenant w^th^ another, according to y^e^ Direction in the Law & y^e^ Priveledges in his Patent. And M^r^ John Rider being recommended by y^e^ said M^r^ Archer to bee Steward of the Court, I doe hereby Allow thereof the said Steward taking his Oath to doe Justice in y^e^ said Employm^t^ between Man & Man according to Law & good Conscience, & Regulating himselfe as a Steward of a Manno^r^ ought to doe, for y^e^ w^ch^ as Occasion requires hee shall have particular Directions from my selfe. Given under my hand at ffort James in N: Yorke this 10^th^ day of Aprill in y^e^ 25^th^ yeare of his Ma^ties^ Reigne Annoq^3^ Domini 1673.

[Francis Lovelace.]

Eodem Die, viz^t^ Apr: 10^th^ 1673.

M^r^ John Rider was sworne Steward of y^e^ Manno^r^ of ffordham, & duely to Administer Justice according to y^e^ Trust reposed in him &c:

Deeds 4: 95 (Sec. State)

1678/9 Jan. 1

[Deed from Archer to Matthias Nicolls.]

To all to whom this p^r^sent writeing Shall Come John Archer of ffordam Sendeth greeting; Wh[e]reas the Said John Archer layes Claime to a Neck of land Hummock or Island Commonly Called Papiriman by vertue of his Pur-

chase & Pattent, whereupon it was the late Governo^{r} Coll ffrancis Lovelaces Pleasure to Settle Johannes Vervelen for Some years to keep a fferry for the Convenience of Passengers Betweene the Island Manhatans to y^{e} Maine from and to which it is the Only Road, Now know Yee that for & in Consideracõn of a Certaine Summe of Money in hand Paid or Secured to bee paid by Matthias Nicolls Secretary to this his Roy^{ll} Highnesse, Gover[n]ment, Hee the s^{d} John Archer hath for himselfe his heirs & Executo^{rs} given granted, Bargained, Aliened, & Sold & by these p^{r}sents doth give, grant, Bargaine, alien & Sell, unto the aforenamed, Matthias Nicolls his heirs and Assigns all his Right tittle and Interest, unto the s^{d} Neck of land Hummock, or Island, & Premisses, together with the Appurtenances, within the Limmitts & bounds heretofore agreed upon to be held by the said Johannes Vervelen, without other Prejudice to the towne, Reserveing the Royalty of the Same, with the rest of the Mannor, from the which it is nott to bee divided but on the Contrary as an acknowledgement the s^{d} Matthias Nicolls, his heirs and Assignes, are to pay or Cause to bee paid, Every New Yeares day unto the s^{d} John Archer, his heirs and assignes, a fatt Capon; To have and to hold the s^{d} Neck of Land, Hummock Island Premises, withall the tittle right and Interest, which hee the s^{d} John Archer hath or may have thereunto, unto the Said Matthias Nicolls his heirs and assignes, & unto his or their proper use and behoofe for Ever, In Wittnesse whereof he the Said John Archer, hath hereunto Sett his hand [and] Seale this first day of January in the 26th [*sic*] yeare of his Ma^{ties}Reigne Annoq^{3} Domini. 1678.

Deeds 4: 95 (Sec. State)

1678/9 Jan. 1

John Archer

Sealed Delivered In
p^{r}esence of
Peter Smith
Henry Newton

NO. IV.

NEW FERRY AT SPUYTEN DUYVIL.

O. W. L. 2: 341 (NYSL)

An Ordr for ye Mayor & Aldrmen of N. Yorke to settle ye fferry at Harlem &c

1668/9 Feb. 27

Whereas Johannes Vervelen of New Harlem hath prferr'd a Peticon unto me In regard ye fferry of Harlem is to be Removed & that yepassage at Spiting Divell is to be fitted & kept for passengers going to & from this Island to ye Maine as also for a drift for Cattle & Horses that he may be admitted to keep ye said Passage The Petr alleadging that having a promise from ye late Governor my Predecessor as also a Confirmacon from ye Mayor & Aldermen of this Citty that he should injoy ye benefitt of ye fferry at Harlem for fiue yeares Conditionally that he should provide boates & other necessary accomodacon for strangers wch accordingly he hath perfourmed but there is not as yett aboue two yeares of ye tyme expired, I haue thought fitt to referr ye whole Case of ye Petr to ye Mayor & Aldermen of this Citty who are to returne back to me their Judgmt & Resolution therein, Whereupon I shall giue Ordr for ye laying out of a peice of land neare Spiting Divell fitt for ye accomodation of the person that shall be appointed to keep ye fferry & Passage there, as also for ye Releife of passengers & strangers Given undr my hand at ffort James in New York the 27th day of February 1668.

[Francis Lovelace.]

To ye Mayor & Aldermen
of ye Citty of New Yorke.

An order about the Ferry to bee removed from Harlem to Spiting Devill.

O. W. L. 2: 424 (NYSL)

1669 June 2

Whereas it hath beene resolued and concluded upon that the Ferry at New Haerlem shall bee removed to a nearer and more convenient passage to and from this Island and the maine, which is found to bee at a Place called Spitting duyvell And Johannes Verveelen who hetherto hath kept the Ferry at New Haerlem aforesaid being found the fittest person to bee employed therein, that will undertake it both in regard of the Charge hee hath beene allready it[1] and his Experience that way. These are to authorize and Empower him the said Johannes Verveelen to repaire to the said place at Spitting duyvell and to cause a fence to bee made for keeping all manner of Cattles from goeing or Coming to or fro the said passage without leave or paying therefore and at his best conveniency to lay out a place upon that peece of Land called Papiriniman on the meane Side neare unto the said passadge for his habitacõn and accomodacõns of Travallers for the which hee shall haue a patent and Articles of Confirmacõn And for so doeing this shall bee his warrant. Given under my hand at Fort James in New Yorke this 2d day of June 1669

Fr. L.

To all officers or other persons whome this may concerne.

[Articles of Agreement for the Conduct of the Ferry.]

O. W. L. 2: 538 (NYSL) Also incomplete copy in O. W. L. 2: 507

July ye 15th 1669.
Before ye Governor

1669 July 15

About ye Ferry to be remoued from Harlem to Spiting Devill Johannes Vervelen to be fferryman

[1] Should be "at."

O. W. L. 2: 538 (NYSL) Also incomplete copy in O. W. L. 2: 507

First That he prouide a sufficient dwelling house w^th^ three or foure beds for y^e^ Entertainm^t^ of Travelers, & that he be furnish't alwayes w^th^ prouisions for them their horse & Cattle & stabling & stalls accordingly.

That he haue a sufficient boate for transportation of passeng^rs^ horses & Cattle.

1669 July 15

That he cause y^e^ Passe upon this Island neare Spiting Devill to be sufficiently fenced in w^th^ a gate to be kept lockt, that none may passe in or Out w^th^out his pmission.

That he giue his due Attendance at y^e^ said Ferrye eith^r^ in person or one sufficiently deputed by him so that no body be interrupted in their passage to & fro about their occasions, at seasonable houres, Except in Case of Emergency where y^e^ publique affaires are Concerned when he is to be ready at all seasons that he shall be called upon.

And in Case of neglect upon y^e^ Complaint of y^e^ ptye to y^e^ Court of Mayo^r^ & Aldermen of this Citty he shall Incurre such fyne or penaltye as y^e^ Court shall adjudge according to y^e^ meritt of y^e^ Cause.

That y^e^ fferryman belonging to y^e^ New Towne of ffordham be Constable for y^e^ first yeare, & y^t^ y^e^ said Towne haue dependance upon y^e^ Mayo^rs^ Court of this Citty as Harlem hath untill further Order.

The Ferryman is to haue for y^e^ Execution of his Office as followeth.

That y^e^ whole Island of Papiriniman be alotted him toward y^e^ Accomodation of Strangers & y^e^ defraying of his Charges.

That he haue a proportion of meadow adjacent to it for y^e^ further Accomodation of [*blank*] Acres.

That y^e^ said Island togethe^r^ w^th^ y^e^ house & other buildings he shall Erect upon y^e^ p^r^misses be Esteemed & taken as his for y^e^ space of [*blank*] yeares or for & duering his naturall life.

That aft^r y^e Expiration of y^e said tyme if it shall be thought fitt to invest anoth^r y^e person so invested shall giue unto him or his Assignes such satisfaction for his buildings thereupon as shall be adjudged by two indifferent ꝑsons chosen betweene both. O. W. L. 2: 538 (NYSL) Also incomplete copy in O. W. L. 2: 507

That in Case he lodges any ꝑson one night he is to haue 6. pence ꝑ night in Case they haue a bed w^th sheets & w^thout sheets two pence in Silver. 1669 July 15

For Transportation of any person Except he be imployed by warrant by y^e Gouerno^r or any magistrate upon y^e publique affaires for w^ch he is to haue no pay one penny sylver, Likewise that he is to take nothing for any ꝑson or ꝑsons sum̃oned to appeare in Armes upon any Emergent occasion.

For Transportation of a man & horse 7^d in Silver.

For a Single horse. 6^d

For a Turne w^th his boate where there is 2 horses 10^d & for any more quantity 4^d ꝑ peice & if they be driuen ouer halfe as much.

For Single Cattle as much as a horse.

For a Boate loading of Cattle as he hath for horses.

For Droves of Cattle to be driuen ouer & opening y^e Gates 2^d ꝑ peice.

For feeding a horse one day or night w^th hay or grasse six pence.

For feeding of Cattle 3^d in Silver.

That he pay as a quitt rent yearly 10 shill:

That y^e fferryman beare one third part of y^e Charge of making y^e bridge over y^e meadow w^th those of ffordham who are to pay y^e rest.

That if it shall be thought Convenient that the priviledge of keeping a ffayre be graunted to this Citty or any oth^r parte of this Island all Droves of Cattle passing over y^e fferry are to goe free & so to be in retorning a day before

O. W. L. 2:538 (NYSL) Also incomplete copy in O. W. L. 2:507

& a day after it's Expiracõn before w^ch & after they are to pay y^e usuall Rate.

To leaue y^e building & fence in good repaire.

In Testimony hereof y^e Partyes to theise p^rsents Articles Indented haue Interchangably putt to their hande & Seales y^e Day & yeare first aboue wrytten.

1669 July 15

Sealed & Delivered in
y^e presence of.

This is y^e End of y^e Articles betweene y^e Governour & Vervelin the Ferryman.

O. W. L. 2:525 (NYSL)

[The Articles of Agreement.]

1669 [Sept.]

Articles of Agreem^t Indented, consented unto & Concluded upon y^e [*blank*] day of [*blank*] in y^e 21^th yeare of his Ma^ties Raigne Annoq; Domini 1669. Betweene y^e R^t Hon^ble Francis Louelace Esq^r Gouerno^r Gen^rll und^r his Royall Highness James Duke of Yorke & Albany &c of all his Territoryes in America on y^e one parte & Johannes Vervelen of New Harlem on y^e Island Manhatans Ferryman on y^e oth^r pte for & Concerning y^e settling of a Ferry at y^e place Coñonly called Spiting Devill betweene this Island Manhatans & y^e New village called Fordham as followeth (viz^t) that is to say.

Inprimis, It is agreed Concluded upon & mutually consented unto by & betweene y^e ptyes to theise p^rsents, That y^e said Johannes Vervelen as Ferryman shall Erect & prouide a good & sufficient Dwelling house, upon y^e Island or Neck of Land knowne by y^e name of Papiriniman, where he shall be furnish't w^th three or fower good Bedds, for y^e Entertainment of Strangers, as also w^th Provisions at all Seasons, for them their horses & Cattle togeth^r w^th stabling & stalling.

That y^e Ferryman haue a sufficient & Able boat for y^e Transportation of Passengers Horses & Cattle upon all Occasions.

O. W. L. 2:525 (NYSL)

1669 [Sept.]

That ye said Ferryman cause ye Passe upon ye said Island neare unto Spiting Devill to be sufficiently fenced in wth a Gate to be kept Lockt that noe person may passe in or out wthin his ꝑmission.

That ye Ferryman doe beare one third parte of ye Charge of making ye bridge ouer ye meadow ground to ye Towne of Fordham who are to be at ye remaindr of ye Charge themselues.

That ye said Ferryman doe giue his due Attendance at ye said Ferry either himselfe in person or by one sufficiently deputed by him, so that no body be interupted in their passage to & fro about their Occasion at seasonable houres, Except in case of Emergency where ye Publique affaires are concerned, where ye said Ferryman is to be ready at all seasons that he shall be called upon.

And in Case of neglect of ye Ferrymans Duty upon Complaint of ye pty wronged to ye Cort of Mayor & Aldermen of this Citty, The said Ferryman shall Incurr such a Penalty as ye Cort shall adiudge according to ye meritt of ye Cause.

In consideration of what is herein required to be done & ꝑfourmed by ye said Johannes Vervelen as fferyman, he ye said Johannes Vervelen shall for ye well Execution of his Office haue & receiue as followeth (vizt).

That ye whole Island or Neck of Land called Papiriniman whethr incompassed wth water or meadow Ground, shall be alotted to ye said Ferryman togethr wth ye peice of meadow Ground adjoyning to it lately layd out by Jaques Corteliju [*sic*] Surveyor towards the Accomodation of Strangers & ye defraying of his Charges.

That ye said Island or Neck of Land & meadowe Ground togethr wth ye housing or whatever else he shall Erect or

O; W. L. 2: 525 (NYSL)

1669 [Sept.]

build thereupon, togeth^r w^th y^e Ferry & y^e benefitt priuiledges & profitts thereunto belonging shall be & remaine to y^e proper use & behoofe of y^e said Johannes Vervelen & his Assignes for & duering y^e Terme & space of Eleauen yeares to Comence from & aft^r y^e 1^st day of [*blank*] 1669.

That for y^e First yeare he y^e said Johannes Vervelen be Constable of y^e New Towne of Fordham w^ch said Towne or village is to haue it's dependance upon y^e Mayors Co^rt of this Citty in like manner as y^e Towne of New Harlem hath, They hauing liberty to Trye all small Causes und^r 5^li amongst themselues as is allowed in oth^r Towne Courts.

That aft^r y^e Expiration of y^e said Terme & tyme of Eleaven yeares, He y^e said Johannes Vervelen if he so longe shall liue & desire y^e same shall haue y^e First proffer to Continue Ferryman or in Case of his decease his nearest relation or Assigne shall haue preference before another in being admitted to take y^e said Ferry to ffarme But if it shall happen that another ꝑson shall be invested in y^e Imploym^t The ꝑson so invested shall pay unto him y^e said Johannes Vervelen or his Assignes & make such satisfaction for his buildings boats & oth^r Accomodac̃ons remaining thereupon as shall be adjudged by Two indifferent ꝑsons to be chosen betweene both ꝑtyes.

That at y^e Expiration of y^e Terme of Eleaven yeares y^e said Johannes Vervelen or his Assignes who shall Exercise y^e Imploym^t of Ferryman shall be obliedged to haue y^e house Tenantable w^th a sufficient boate & y^e ffences & Gates kept in repaire as they ought to be Continued all y^e tyme so that no discouragem^t be Giuen to passengers nor y^e Ferry through any neglect be discontinued.

That y^e fferryman shall take & receiue of all Passengers wheth^r alone or w^th or on horsback drifts of Horses or Cattle, for lodging Dyett feeding passage or ferrying according to y^e Rates in a Table to That End directed & sett forth.

O. W. L. 2:525 (NYSL)

1669 [Sept.]

Provided alwayes that all ꝑsons Employed by speciall warrant from ye Governor or any Magistrate upon ye Publique Account shall be Exempted from paying eithr fferryage or passage for themselues or Horses as also such ꝑson or ꝑsons as shall at any tyme be sumoned to appeare in Armes upon any Emergent or Extraordinary Occasion who are likewise to be free.

Moreover if ye Governor shall at any time wthin ye Terme aforesaid thinke it Conuenient that a Fayre shall be kept eithr in this Citty or any othr ꝑte of ye Island, It is also agreed upon that all Droves of Cattle & Horses passing over ye said fferry shall be free from payment, either in goeing thithr or retorning back, wch priuiledge shall continue duering ye tyme of keeping ye ffayre as also a day before & a day aftr it's Expiration.

And Lastly ye said Johannes Vervelen or whosoeuer on his behalfe shall keep ye fferry aforesaid shall pay yearely & euery yeare as a Quitt Rent to his Royall Highnesse ye Sume of — — — — — [*blank*]

C. A. 2:466 (NYSL)

An Ordr excusing William Betts & othrs from making a bridg ouer ye Marsh betweene Papirinimon & ffordham.

1669/70 Feb. 10

Whereas it was proposed unto me by William Betts George Tippett & John Heddyer[1] that living at some distance from ye Towne of Fordham where a Cawsey is to be made ouer ye Marshy ground betweene Papiriniman & ye Towne of ffordham if they may be Excused from their Proportion of worke in making up that Cawsey they will be obliedged to make a bridg at their owne charge over Bronckx Ryver in ye way to Eastchestr wch is also a thing very requisite & comodious, Upon debate of ye said Proposicon in ye prsence

[1] John Heddy or Hedden.

C. A. 2:466 (NYSL)

of y^e^ said Three persons & also of diuers of y^e^ Inhabitants of Fordham those of y^e^ Towne offering to giue their assistance in making of y^e^ said bridg aft^r^ y^e^ Cawsey shall first be finisht for y^e^ w^ch^ all their Assistance will be little Enough, & finding that what is proposed by y^e^ Towne tends to y^e^ greater Expedition of both workes It is ordered that y^e^ 3 ꝑsons aforenamed do first joyne w^th^ y^e^ rest of y^e^ Towne of ffordham in making up y^e^ Cawsey agreed upon as aforesaid & that afterwards they do all Jointly giue their best help & assistance in making a Convenient bridg ouer Bronckx Ryver, w^th^ a Gate on Eastchest^r^ syde to hind^r^ their Hoggs from comeing over In consideration whereof & for their Incouragem^t^ it being a new Plantation they shall haue y^e^ liberty & priviledg of having y^e^ Passage of y^e^ Ferry free to & fro for themselues Horses Hoggs & Cattle for & duering y^e^ space of tyme Johannes Vervelen y^e^ p^r^sent Constable or his Assignes shall injoy y^e^ Ferry, as by agreem^t^ betweene us is sett downe, Given und^r^ my hand at Fort James in New Yorke this 10^th^ day of February 1669.

1669/70 Feb. 10

[Francis Lovelace.]

No. V.

NEW ROAD BETWEEN NEW YORK AND HARLEM.

O. W. L. 2:336 (NYSL)

An Order for a Cart way to be cleared betweene this Towne & Harlem.

1668/9 Feb. 24

Francis Louelace Esq^r^ &c Whereas It is found Convenient & very necessary for mutuall Comerce w^th^ one another that a waggon or Cart way should be laid out & cleared betweene

this Citty & ye Towne of Harlem wch hath heretofore beene Ordered & appointed but never as yett was prosecuted to effect These are to authorise & Empower you as Comissrs to see ye same put in Execucon That is to say after hauing agreed upon a tyme of meeting to view & lay out ye ground that you appoint ye Boores of ye Bowery neare this Citty & ye parts adiacent to cleare ye way from this Citty to ye Saw Kill, & ye Inhabitants of ye Towne of New Harlem to do ye like from thence to their Towne, & that it be cleared & made fitt for a passage for waggons & Carts as well as Horses from one place to anothr by ye first day of May next according to this my Ordr I do expect an exact perfourmance of what is Comitted to yor charge & for so doing this shall be to you & every of you a sufficient warrant Given undr my hand & seale at ffort James in New York this 24th day of ffebruary 1668.

[Francis Lovelace.]

O. W. L. 2: 336 (NYSL)

1668/9 Feb. 24

To Thomas Hall & Gerritt Hendricks } for New York.

&

To Daniel Turner & Resolued Waldron } for New Harlem.

No. VI.

TOWN OF WESTCHESTER, WILLIAM WILLETT AND THOMAS HUNT, SR.

To the Constable & Overseers of Westchester.

O. W. L. 2: 202 (NYSL)

Whereas Thomas Hunt of yor Towne hath made Complaint unto me That yor Inhitants haue staked out a way

1667/8 Mar. 21

O. W. L. 2: 202 (NYSL)

vpon Throgmortons Neck, & that they are about to run their fence up which if done will proue very p[r]iudiciall unto him In regard it will debarre him from a watering place for his Cattle in the Sum̃er tyme w[ch] he hath made use of for the space of six yeares past & upwards, & the said Thomas Hunt hauing made a very reasonable proposall, that if yo[u] will run yo[r] fence anoth[r] way where it may not be lesse for yo[r] Conueniency he shall for his proporc̃on be ready to make up 40 or 50 Poll of Fence or so much as it shall happen to take more then that yo[u] haue already laid out These are therefore to require yo[u] to appoint two or more indifferent men to view the place by him the said Thom: Hunt proposed And if it shall be found as he alleadges That then yo[u] comply w[th] him according as is desired To the end there may be no furth[r] Comp[l]t or Contest vpon this occasion Giuen und[r] my hand this 21[th] day of March 1667 at Fort James in New Yorke.

1667/8 Mar. 21

R. Nicolls

O. W. L. 2: 242 (NYSL)

An Order for W[m] Willett to carry away Hay at Cornells Neck.

1668 Sept. 8

Whereas W[m] Willett hauing a Pattent from the late Governo[r] Co[l]t Richard Nicolls for a Confirmac̃on of a certaine peice of land w[th]in the lymitts of yo[r] Towne co[m̃]only called Cornells neck whereon as I am informed the said W[m] Willett hauing caused some grasse to be mowed for his winter provision of Hay w[th]out any interupc̃on some persons of yo[r] Towne haue since molested them & forbid them to make it up or carry it away These are to require yo[u] upon sight hereof to suffer the persons imployed by the said Willm Willett to mowe make up & carry away so much Hay as he shall haue occasion of w[th]in the bounds of his

Pattent for his owne provision For the w^ch^ if it shall appeare that the said meadowe ground where he causeth his Hay to be mowed doth belong unto yo^r^ Towne Then he shall be oblieged to giue yo^u^ satisfaccon for the same according as shall be adiudged reasonable by Two indifferent men to be chosen betweene yo^u^ Giuen und^r^ my hand at Fort James in New Yorke the 8^th^ of Septemb^r^ 1668.

[Francis Lovelace.]

O. W. L. 2: 242 (NYSL)

1668 Sept. 8

A Confirmation of y^e^ Com^rs^ Report concerning Tho: Hunt.

O. W. L. 2: 469 (NYSL)

1669 July 1

Whereas there was a Comission issued forth into [*sic*] M^r^ John Richebell, M^r^ William Laurence, M^r^ Thomas Wandall and M^r^ Jacques Coustilleau and M^r^ Resolveert Waldron to view the Lands and Meadowes in dispute as to Examine into and heare the matters in difference (and make a finall determinacon thereupon with reservacon of Appeall) betweene the Inhabitants of West=Chester and other persons concerned amongst the which Thomas Hunt Senio^r^ of the place aforesaid was one of y^e^ Commission^rs^ bearing date the 28^th^ day of february last And the Commission^rs^ having in pursuance of their Said Commission beene upon the place and heard what Could bee alleadged on either part and also given unto mee a report of what they haue done and determined in y^e^ Premises the which is attested under all their hands as their Joint act wherein amongst other matters, In y^e^ Case of Thomas Hunt its Said as followeth Viz^t^ That Thomas Hunt Senio^r^ according to y^[e]^ Teno^r^ of his Patent Should not bee hindred of Pasture or Runes for his Cattle on Throckmortons Neck neither of Sufficient water for y^e^ Same But in case West Chester will fence in y^[e]^ Said neck that then they shall Leave ou[t] Sufficient pasture and a watring place as y^e^ aforesaid Hunt shall haue occasion for his Cattle.

O. W. L. 2: 469 (NYSL)

1669 July 1

These presᵗˢ doe therefore Certifye and declare that I approue of and Confirme what yᵉ Said Commissionʳˢ haue done in yᵉ Cause of Thomas Hunt who is to haue and Enjoy whatsoever in their Report is Sett forth without any manner of Lett, hindrance or molestacõn whatsoever. Given under my hand and Seale at Fort James in New Yorke this 1ˢᵗ day of July in yᵉ 21ᵗʰ yeare of his Majᵗⁱᵉˢ Raigne Annoq̃ domini 1669.

[Francis Lovelace.]

No. VII.

YONKERS — VAN DER DONCK'S PURCHASE.

Septembʳ 21ᵗʰ 1666.

Deeds 3: 42 (Sec. State)

The Indians Acknowledgment to haue receiued satisfaction for yᵉ Younckers Land.

1666 Sept. 21

This day came Hugh Oneale & Mary his wife (who in right of her former husband laid clayme to a certaine parcell of Land upon the maine not farre from Westchester Coñonly called yᵉ Younckers Land) who brought seuerall Indians before yᵉ Governoʳ to acknowledg the purchase of yᵉ said Lands by Vander Dunck coñonly called yᵉ Younker

The said Indians declared yᵉ Bounds of yᵉ said Land to be from a place called by them Macackesin at yᵉ North, so to run to Neperan, & to yᵉ Kill Soroquapp then to Muskota, & Pappereneman to yᵉ South & Crosse yᵉ Countrey to yᵉ Eastward by Bronckx his Ryver & Land.

The Indian Proprietoʳˢ name who was cheife of them is Tackareek living at yᵉ Nevisans who acknowledged yᵉ pur-

chase as before described, & that he had receiued satisfaction for it. Deeds 3: 42 (Sec. State)

Claes y^e^ Indian hauing interest in a part Acknowledged to haue sould it & receiued satisfaction of Van der Dunck 1666 Sept. 21

All y^e^ rest of y^e^ Indians p^r^sent being .7. or 8. acknowledg to haue receiued full satisfaction.

No. VIII.

BUSHWICK *vs* NEWTOWN—BOUNDARY DISPUTE.

An Indyan Purchase, Entred for the Inhabitants of New Towne, the 13^th^ day of July 1666. Acknowledgd before the Governo^r^ the 9^th^ of July 1666. Deeds 2: 135 (Sec. State)

Aprill the 12^th^, 1656.

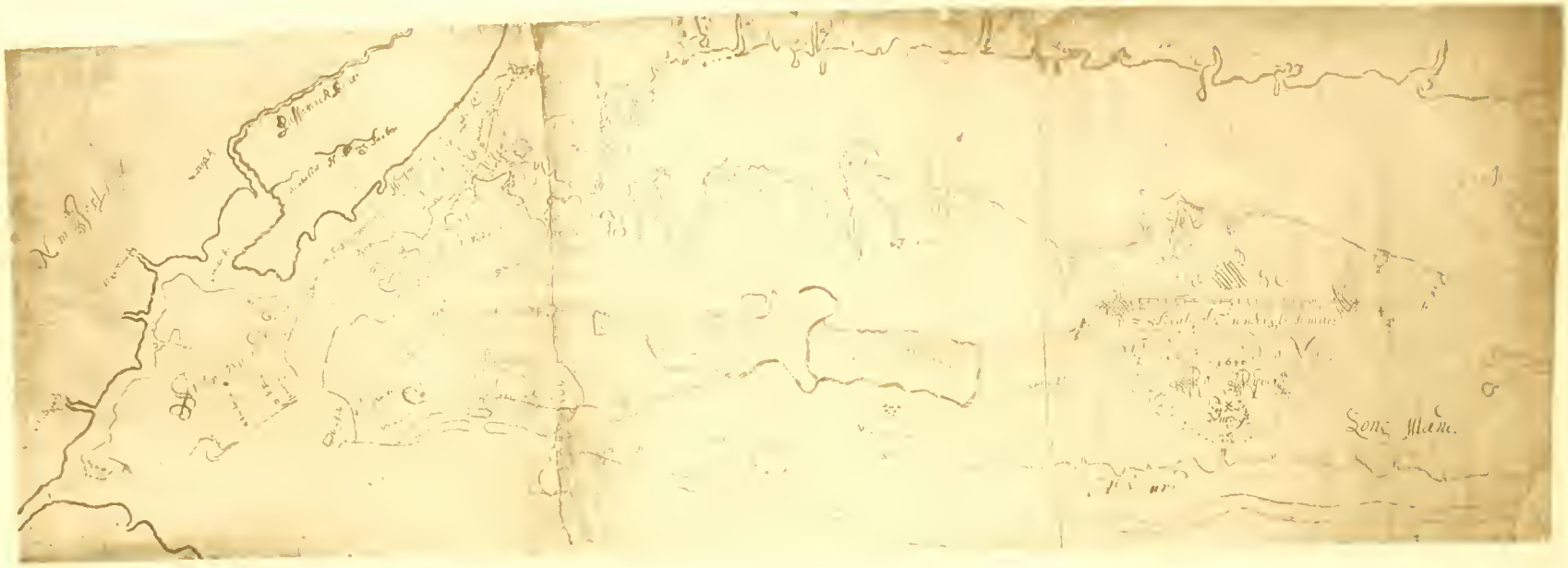
Know all men by these p̃nts, That wee Rowero westco, and Pomwaukon, do acknowledge and Confesse; That wee have firmly and joyntly, Sold, Alienated & made over, all Our Lands from us, Our heires, Executo^rs^, Administrato^rs^ or Assignes, to the Inhabitants of New Towne, alias Middleborrow, to them and their Heires for ever, as their owne and free proper Land or Lands, Immunityes, appurtenances, priviledges, and all whatsoever did unto the aforesaid Sachems, or Indyans belong, from a small Creeke called by the Indyans Canapaukah, where Burgors Mill Stands, from thence going upon a Straight Line North East ward, to a certaine Creeke called Sackhickneyah, where Wessells Mill Stood, so Bounded by the Bay side, whilst it comes to the 1656 Apr. 12 etc. Recorded 1666 July 13

Deeds 2:135 (Sec. State)

1656 Apr. 12 etc.

Recorded 1666 July 13

Mouth of fflushing Creeke, so commonly call'd, so coming toward the South East, Bounded by the Creeke side till it extends it selfe to the South side of the Hills upon the Line from thence ruñing upon the Line westward by the South side of the Hills, till it meet with the South Line, w^ch^ is extended from the west Branch of Marshpath kills, called quandus quaricus, by a Dutchmans Land, called Hance the Boore, from thence to the Mouth of Marshpath kills, by the Indyans so Called; These aforesaid Bounds or Tract of Land, w^th^ all the appurt̃ences there unto belonging, which the afores̃d Indyans have sold in the yeare 1656, unto the aforesaid Inhabitants, onely wee reserved the Priviledge of a certaine part of upland lying on the Southside of the aforesaid New Towne, for our use for Hunting, and sold them onely the Grasse for mowing, feeding and Timber, and had really and fully sold them and theirs for ever, the feeding, mowing and Timber of the aforesaid Land, and were firmly bound and Engaged, in our Bill of Sale, never to Sell or dispose of the said Priviledges which wee had then reserved, to any other but to the Inhabitants of New Towne, Therefore wee the said Indyans, according to our word and obliga c̃on, do hereby these p^r^sents manifest our selves to have re c̃d full Satisfac c̃on of the aforesaid Inhabit^ts^ for the Priviledges wee then reserved, in y^e^ aforesaid Tract of Land, and do really & absolutely, give them and their Heires for ever, as full Right and Title to all the Priviledges of the said Tract of Land, as wee can or may for any of Our Lands, that wee have, or shall Sell, denying ourselves of any Interest therein, or any Claimes of any other whatsoever, of all y^e^ Lands, appurtenances or Priviledges, within the said Bounds, wee say wee have really sold as aforesaid, unto the Inhabitants of New Towne, as their owne proper free Land, wee say, from us, our heires, to them and their heires for ever, where



ROBERT RIDER'S SURVEY OF LONG ISLAND AND ENVIRONS, 1670.

From the Original Manuscript owned by the New York Historical Society.

(Greatly Reduced.)

Opposite p. 237.

unto wee have sett our hands, this 9th day of July 1666. and in the 18th yeare of his Maties Raigne

Deeds 2:135 (Sec. State)

Pumwakons X Marke.

Signed & Sealed in ye p̃nts of us.
John Pounds X Marke.
Armorcharne X his Marke.
Chawescome X his Marke.
John Napper X his Marke

1656 Apr. 12 etc.

Recorded 1666 July 13

Recd of ye Inhabitants of New Towne, full Satisfaction for all the aforesaid Land wch herein is specified, wee say received by us the 9th of July 1666. the Sume of ffifty five pounds, for ye first Payment, the 2d & last paymt now paid, 21li 09s 00d

Pumwakon X his Marke

Deeds 2:8 (Sec. State)

At the Generall Meeting of the Deputyes of Long Island held before the Governor at Hempsteed March 4th 1664.

Bushwick
New Towne alis
Middleborrough

1664/5 Mar. 4

It is this day Ordered, That the Meadow Ground in Question between Bushwick and New Towne, shall remaine to the Inhabitants of the Towne of Bushwick, as properly, and of right belonging to them, (That is to say) the Meadow lying on the west side, of the most auncient Dutch House, Scituate on the East side of the head of Mashpeake-kills, and the Inhabitants of New Towne, are no way to molest the said Towne of Bushwick in their peaceable Enjoyment thereof, Touching the Up Lands, the Bounds specified in Middleborrough Deed, will sufficiently regulate the same.

Richd Nicolls.

O. W. L. 2:377 (NYSL)

A Lre to ye Constable & Overseers of New Towne.

1669 April 9

There being a difference depending betweene yor Towne & yor neighbours of Boswijck about ye bounds & lymitts of yor Land ye wch was by ye late Court of Sessions at Grauesend recomended to you to agree amongst yorselues otherwise ye Governor was desired to appoint some fitt persons to view ye Land & give their Judgmt therein unto him I am Ordered to put you in mynde of that Ordr of ye Court. You are therefore to rendr an Account whethr you are like to Agree or no that in case you do not ye Governor may appoint some persons to view ye Land & determyn ye matter in difference betweene you I am

Yor very Loving freind

Apr̃ 9th 1669. M Nicolls.

The like was sent in Dutch to Boswijck.

O. W. L. 2:441 (NYSL)

A warrt to the Constable & Overseers of New Towne.

1669 June 21

Whereas there hath beene a difference depending betweene the Inhabitants of the Townes of New Towne and Boswyck about the Limitts of their Lands and the meadow or valley belonging to them which was recom̃ended both by my order and the Court of Sessions held in March last, to bee in a freindly manner issued amongst them selues but nothing hath beene done therein. These are to require you to appoynt two persons from yor Towne to appeare before mee and to bring wth them, what writtings proofes and Euidences you haue for yor Claime and pretences that there may at length an End [be] put to the said difference according to Law and

good Conscience. Given under my hand at Fort James in New Yorke this 21th day of June 1669. O. W. L. 2:441 (NYSL)

[Francis Lovelace.]

To the Constable and Overseers of New Towne. 1669 June 21

The like order was sent to the Constable and Overseers of Boshwyck.

[Memorandum] C. A. 2:428 (NYSL)

The Inhabitants of ye Towne of Buswick plts 1669 Oct. 22
The Inhitants of Middleborough als New Towne Defts.
A speciall warrant. October 22th 1669.

An Ordr for Decision of ye Difference about the Bounds of Newtowne & Boswijck. G. E. 4:151 (NYSL)

Whereas severall Applicacons have been made unto mee both by ye Inhabitants of ye Towne of Newtowne & Boswijck, that ye Lymitts & Bounds in Difference between them might bee ascertayned, The which was recommended to ye Court of Sessions at Gravesend to appoint some indifferent Persons to view the same and endeavour a Composure; There haveing been likewise some Orders of Councell upon ye same Accot, but as yett nothing hath hitherto been done therein; To ye end an Issue may bee had of this Controversy, The Persons whose Names are hereunder written being ye same who were nominated by ye Court of Sessions are to meet upon ye Place ye 27th or 28th day of this instant Month to view ye Bounds, & endeavour a Composure between ye two Townes aforesaid, for ye furtherance whereof, Thomas Delavall Esqr & Mr Matthias Nicolls two of ye Councell are likewise desired to bee prsent to give their 1672 June 26

G. E. 4: 151 (NYSL)

best Advice to y^e^ putting of a Period to this Controversy; & if either of y^e^ foure Persons nominated as aforesaid shall bee absent at this time appointed, y^e^ said Thomas Delavall, &

1672 June 26

Matthias Nicolls may if they see Cause putt some other Person to Act in his or their Places, of all which they are to render mee an Acco^t^ at their Returne. Given under my Hand at Forte James in N: Yorke this 26^th^ day of June 1672.

[Francis Lovelace.]

No. IX.

NANGENUTCH *alias* WILL, AN INDIAN, FOR RAPE AT EAST HAMPTON, L. I.

O. W. L. 2:466 (NYSL)

[Order prohibiting Will the Indian from coming into or near the Town of East Hampton.]

1669 July 7

Whereas Will: the Indyan was accused and convicted of a Rape coñitted upon y^e^ Body of an English woman for w^ch^ hee in part reĉd Punishm[ent] and these [1] woman abused by him being married wife and living in y^e^ Towne of East Hampton into y^e^ w^ch^ Towne if y^e^ said Indyan should bee permitted to come it may breed ill bloud and cause some disturbance these are therefore to require and coñand that y^e^ said Will: y^e^ Indyan doe not presume to come into or very neare the said Towne of East Hampton for y^e^ reasons aforesaid upon any pretence whatsoever as hee will answer his contempt in doeing of y^e^ Contrary. Given under my hand at Fort James in New Yorke this 7^th^ day of July 1669.

[Francis Lovelace.]

[1] An error for "the."

No. X.

ESOPUS PAPERS — KINGSTON, HURLEY AND MARBLETOWN.

[Memorandum about Land Grants to Soldiers.] C. A. 2:526 (NYSL)

Aprill y^e^ 6^th^ 1667 [*sic for* 1668].

1668 April 6

Edward Whittaker p^r^ferred a Petition to y^e^ Governo^r^ on y^e^ behalfe of y^e^ rest of y^e^ Souldiers at y^e^ Sopez, whereupon it was promised them by y^e^ Governo^r^ That y^e^ first great peice of Land & y^e^ Second adjoyning to it lyeing to y^e^ west & beyond y^e^ wash makers Land hauing a Ryver or Creek bounding it to y^e^ South should be giuen to them: There are to be 30. Lotts upon it, each Lott to haue 30 Acres of y^e^ Low Land, & Two Acres & a halfe of y^e^ upland for their home lotts y^e^ wood land to be in Co̅mon.

A Grant to the Souldiers at Esopus. O. W. L. 2:206 (NYSL)

Aprill: the 6^th^ 1668.

1668 April 6

The Governo^r^ hath this day beene pleased to make a Graunt vnto the Souldiers now being at the Sopez & to such oth^rs^ as shall be allowed to settle there That they shall haue the First Great peice of land & alsoe the Second peice w^ch^ adioynes unto it They both lying & being westward beyond the Washmakers land being bounded on the South by a certaine Ryver or Creeke The number of Lotts that are to be laid out there shall be Thirty & each lott shall haue Thirty Acres of the Lowe land & Two Acres & a halfe of

O. W. L. 2:206 (NYSL) the Vpland to belong to their Home Lotts for planting land The rest of the Wood land is to lye in Comon.

By Order of ye Governor
M. Nicolls Secretary

1668 April 6

O. W. L. 2:218 (NYSL)

An ordr about paymt for the House rent where the Cheife military officer at Esopus Quarters.

1668 Aug. 7

Whereas The Cheife Military Officer at ye Sopez Hath euer since the Moneth of Novembr 1665 had his Quarters in a house for wch no rent hath hitherto beene paid nor any agreemt made wth the owner for the same. And whereas the maintaining & continuance of Souldiers there tends to the Safeguard & protecc̃on of the place I doe therefore hereby ordr That the prsent Scout & Comissaryes doe forthwth take it into their Considrac̃ons & adiudg what rent is fitt to be paid for the tyme past, wch is to be levyed vpon the Towne & paymt made thereof to whome its due And for the future the Scout & Comissaryes for the tyme being are to take Care that a Conuenient Quartr be provided for the said officer at the Townes Charge or cause satisfacc̃on to be giuen from tyme to tyme for the same where he shall otherwise provide for himselfe Given undr my hand at Fort James in New Yorke This Seauenth of August 1668.

R. Nicolls.

To the Schout & Comissarys
at Esopus.

O. W. L. 2:241 (NYSL)

An Order for the bringing in of the Claymes to the land at Esopus.

1668 Sept. 5

All mannr of persons who haue any Clayme or prtence to any lotts or lands at the New Durpe at Esopus or to any

oth^r land there adiacent And all oth^r persons who came ouer into these partes w^th the late Governo^r Coll Richard Nicolls or to whome he hath promised land and haue now a mynde to settle themselues the first are to bring in their Claimes or p^rtences & the latt^r their names to the Secretaryes office in the Forte by the Tenth day of this instant Month The Gouerno^r intending to goe vp to Esopus the latt^r end of the next weeke to settle matt^rs concerning the said new Durpe & partes adiacent aforesaid & to cause lands to be laid out thereby to such oth^rs as haue had promisses for the same & resolue to liue & settle thereupon Dated at New Yorke the 5^th day of Septem^br 1668.

O. W. L. 2:241 (NYSL)

1668 Sept. 5

By ord^r of the Governo^r
Math: Nicolls.

[Matthias Nicolls to Philip Pietersen Schuyler.]

O. W. L. 2:239 (NYSL)

A Łre To M^r Phillip Pieters

M^r Phillip Pieters.

I am Comaunded by the Governo^r to acquaint yo^u That he intends (God willing) to be at Esopus vpon Wednesday next come Senight w^ch will be the Three & Twentith day of this Month where he expects yo^u should meet him & bring w^th yo^u the Clayme or pretence of Goosen Gerritts Volchert Jans or any oth^r of Albany to the lands in the New Durpe at Esopus He intends then to issue all differences & Contests about those lands & to lay out anoth^r Towne To w^ch end he will take [*blank*] as surueyo^r w^th him I shall waite upon the Governo^r thith^r I will bring w^th me yo^r Łres of Denizacon yo^u Spoke to me for. This is all at p^rsent from

[1668 Sept.]

S^r
Yo^r humble servant
[New York, Sept., 1668.] Math: Nicolls.

O. W. L. 2:249 (NYSL)

[Memorandum about Sale of Land by Indians.]

Septembr 23d 1668. At Esopus.

1668 Sept. 23

Memorandũ That this day three of the Esopus Sachems who had sould the great Tract of land there to Govrnor Nicolls accompanyed wth diuers othr Indians came to the Governor & brought the Counterparte of the deed of Purchase desiring to Continue Freindship wch was then Ratifyed.

O. W. L. 2:249 (NYSL)

A Lycence Graunted to Matthew Blanchan for 12 month to sell Liquors &c.

1668 Sept. 24

Whereas It is Thought conuenient that some pson in this Towne should haue liberty to sell Beere by retayle to supply such of the Inhitants as may want small quantityes vpon occasion as also for refreshment & accomodacõn of Strangers, & there being at prsent no one who doth undertake the same These prsents certify that I haue giuen liberty & lycence to Matthew Blanchan to sell any sorte of Beere by Retayle in this Towne for the space of Twelue moneths aftr the date hereof prouiding at least one sufficient lodging for strangers & keeping good ordrs in his house as by the lawes is required Giuen undr my hand at Esopus this 24th day of Septembr 1668.

[Francis Lovelace.]

O. W. L. 2:250 (NYSL)

Order for keeping ye Watch at ye Guard at Esopus.

To Mr Berisford Comandr of the Souldiers at Esopus.

1668 Sept. 25

For the furthr Incouragemt of ye setling the furthest plantacõn wch is to consist of most Souldiers I doe ordr that the Military Guard hitherto maintained by the Souldiers be discharged of that duty & that the Townesmen of the Sopes

are to keep their watch w^ch^ formerly was maintained by them onely y^e^ Redoubt is to be maintained & kept by the Souldiers und^r^ M^r^ Berisfords Com̃and who is required to see it executed according to the true meaning of this my ord^r^ O. W. L. 2:250 (NYSL) 1668 Sept. 25

Fran: Louelace

Esopus 25^th^ Sept^r^ 1668.

The names of those that Co^ll^ Nicolls p̃mised lands to at Esopus being now there. O. W. L. 2:250 (NYSL)

Christofer Berisford Serg^t^
Thomas Quennill
Rich: Cage
Geo: Hall
Rob̃t Peacock
Frederick Hussey
Henry Paulyn[1]
Edward Whittaker
Thomas Mathews
Anthony Cooke
Samuell Oliver
Georg Porter
Edward Price[2]
W^m^ Houghton
Thomas Elger

John Biggs
Robert Bickerstaff
W^m^ Fisher
John Henry[3]
John Pounds
Antho: Addison
Thomas Skillman
Edw: French.

Those that are Crost finde themselues prouisions.[4]

[1668 Sept.]

Coppy of the Oath to be taken by the Surveyo^r^ O. W. L. 2:252 (NYSL)

Yo^u^ doe sweare by the Ever living God That w^th^out feare fauo^r^ or any oth^r^ Sinist^r^ respect whatsoeuer yo^u^ shall to the [1668 Sept.]

[1] Henry Pawling.
[2] Also called Avert and Evert Price in other lists.
[3] The same as John Hendrick in other lists.
[4] They are not indicated by a cross in the record copy from which the above transcript is made.

O. W. L. 2:252 (NYSL) best of yor Skill & knowledg well & truely measure & lay out such lands at or neare the Esopus as shall be appointed you by the Governor & giue an exact account unto him of the Superficiall Contents thereof So help you God.

[1668 Sept.]

O. W. L. 2:252 (NYSL)

An Order for Cutting Pallisadoes at Esopus.

1668 Sept. 26

These are to giue notice to all persons concerned in eithr of the New Dorpes or Villages lately laid out by my ordr That euery such person do repaire or send some one in his stead to their respectiue Dorpes or Villages duering this ensueing winter to cut & provide their proporc̃ons of Pallisadoes against the next spring when each persons diuidend of land belonging to his lott shall be sett forth for their setling thereupon Hereof they are not to faile Giuen undr my hand at Esopus this 26th day of Septembr Anno Dñi 1668.

Fran: Louelace.

O. W. L. 2:253 (NYSL)

An ordr for the provision of Planks boards &c for ye settling the furthest New Dorp.

1668 Sept. 26

Whereas a Resolution is taken to settle the furthest New Dorpe or Village wth all Conuenient speed, & in the first place it being requisite & necessary to make some place of defence for the wch there will be occasion of Plankes & othr materialls These are to authorize & empower you Henry Pauling on the behalfe of yor selfe & the rest that are to settle there to take such Plankes boards & othr materialls as you shall finde fitting for that purpose at the next Dorpe from any Two of the watch houses or fower Flankers there belonging to the Publique & being nearest at hand & to see them imployed for the vse aforesaid In the perfourmance

whereof the Schout & Comissaryes are desired to be aiding & assisting to yo^{u} in prouiding of such Carts & Horses as may be requisite for their transporting to the said New Dorp And for soe doeing this shall be to yo^{u} a sufficient warrant Given und^{r} my hand at Esopus this 26th day of Sept^{br} 1668.

Fran: Louelace.

O. W. L. 2:253 (NYSL)

1668 Sept. 26

The Names of those persons that are willing to take their diuidends of Lotts at the furthest New Dorpe.

O. W. L. 2:254 (NYSL)

Wee who haue hereunto subscribed o^{r} names are willing to take o^{r} Diuidends of Lotts at the Furthest New Dorpe or Village when the Governo^{r} shall please to giue ord^{r} for the laying them out unto us Dated at Esopus the 26th day of Septemb^{r} 1668.

1668 Sept. 26

Tho: Quynell
Robert Bickerstaffe
Jn^{o} Biggs
Frederick Hussey
Henry Farling[1]
Anthony Cooke
Samuell Oliver
Edward Whittaker
Thom: Mathews
Thom: Skillman
Cornelion Arson
Davey Crawford
Christofer Berisford
George Hall
The marke of
Robert O Peacock
The marke of
W^{m} ⟙ Houghton
Avert ⅂⅂ Price[2]
Thomas Elger
George P Porter
Anthony Addison
Jn^{o} Punye (?)[3]
W^{m} Fisher
Jn^{o} Hendrick
Rich: Cage.

[1] Henry Pawling.

[2] Also called Evert and Edward Price in other lists.

[3] John Pound or Pounds in other lists.

O. W. L. 2:255 (NYSL)

An Answer To the Desires of the Inhabitants of the Esopus tendred to me 24th of Septembr 1668.

1668 Sept. 26

1 To the First concerning the Boundaryes of the Dorp of Esopus my answr & opinion is, that I conceiue the extremity of their land as to a N. West lyne to be the utmost bounds on that lyne And then a lyne drawne S. or S. & by East from the Sopus Kill in a Straight lyne to the Redoubt Kill to be the true boundearie of that Dorp on that side, & there to beginne the lymitts of the next Towne.

2 To the Second concerning the Swamp lying undr the Towne my ordr is that it remaine to the use of the Towne of Sopus onely what my prdecessor Coll Nicolls has already alotted to Mr Pauling wthall with this Provisoe that the Towne in the next spring cause a sufficient Draine to be made whereby the Valley may be made dry & Consequently healthy otherwise I shall dispose thereof to such as I am Confident will doe it.

3 For the Preachers Bowry wch is at the New Dorp it being not wthin their lymitts I conceiue it concernes them not since I am resolued to make that a destinct[1] Towne, & to those that shall settle there it properly belongs to clayme the right if any be though since it be forfeited to his Royall Highnesse by an Escheate I see no reason why he should be depriued of his right.

4. For the Quartering of the Souldiers & prouiding them their prouisions I am willing (since it proues a burthen to them) to ease them in that perticuler & shall take care to send them prouisions at my arivall at N. Yorke till when I thinke it reasonable that they prouide for them as formerly

5 Concerning the Constraining of Souldiers to pay their

[1] In the manuscript this word is inadvertently written "destinet."

iust debts I thinke it reasonable that they should do it Prouided that the Officer that Coñands them be first acquainted w^th^ it before they be suñoned to the Bancke, who will take care that in reasonable tyme satisfaccon shall be giuen to the Creditor or else to be left open to y^e^ Law equall w^th^ the rest of the Inñitants, but w^th^all I desire that the Inñts will be carefull not to trust the Souldiers w^th^out a probable power of their Repayment. O. W. L. 2:255 (NYSL) 1668 Sept. 26

6 As to their last desire Concerning the House where M^r^ Berisford liues I refer them to y^e^ ord^r^ made by my p^r^decesso^r^ the late Governo^r^ bearing date the 7^th^ day of August 1668.

[Francis Lovelace.]

Esopus Sept. 26^th^
1668.

Instrucc̃ons To the Schout & the rest of the Comissaryes at Esopus. O. W. L. 2:257 (NYSL)

Yo^u^ are w^th^ conuenient speed to remoue y^e^ Palisadoes & place them at the extremety of yo^r^ Towne where the new addition is made & to open the Coming in of the Towne in the middle of it as is design'd. [1668 Sept.]

The place for buriall must be Impald as likewise the place for a Towne house.

The Morasse that lyes und^r^ the Towne yo^u^ are to take care that it be dray'nd whereby the place will not onely be improued to be bett^r^ but it will Contribute much to the health of the place.

That according to the Agreem^t^ made before me yo^u^ goe on w^th^ the fence betweene yo^u^ & yo^r^ neighbours on the oth^r^ syde That there may be no further occasion of difference upon that Account.

O. W. L. 2:257 (NYSL)

[1668 Sept.]

Yo^{u} are to be uery Circumspect in obseruing the motions & Intencons of the Indians especially those of the Wapingoes who are now gone to ioyne wth the Mohawkes against the Mahicanders.

Yo^{u} are upon all conuenient opertunityes to giue me an account of the welfare & affaires of this place & if any thing happens extraordinary to send an express.

Yo^{u} are to take care for the quartering y^{e} Souldiers till such tyme I can send them provisions w^{ch} will be wth the first oppertunity & likewise to liue freindly & peaceably wth them & to assist them in what conueniently yo^{u} can towards their planting the New Towne.

Fran: Louelace

O. W. L. 2:258 (NYSL)

The Souldiers Peticon at Esopus on y^{e} behalfe of their fellow Souldier Edw: French. To the Right Hon^{ble} Francis Louelace Esq^{r} Governo^{r} Gen^{rll} und^{r} his Royall Highnesse of all his Territoryes in America.

1668 Sept. 27

The humble Peticon of all the Sould^{rs} und^{r} yo^{r} Hono^{rs} Comand at Esopus.

Sheweth

That they are uery sensible of yo^{r} Hono^{rs} iust displeasure against their fellow Souldier Edw: French for his late great miscarriage agrauated by so many Circumstances

Yet since it hath pleased God that the mischeife of loosing a mans life upon that occasion is in all probability out of danger & we being well satisfied that o^{r} fellow souldier had no malice in his heart but was more then ordinary surprised wth a distracted passion w^{ch} moued him to forgett himself & his duty.

O. W. L. 2:258 (NYSL)

1668 Sept. 27

We doe all unanimously most humbly pray that yo[r] Hono[r] out of yo[r] abund[t] goodnes & Clemency will be pleased at this o[r] First & earnest request to passe by & to pardon o[r] Fellow Souldiers great error & ofence, & we shall all promise & engage o[r]selues for his future good behauio[r] as becomes an honest man & a Souldier.

And we in duty shall euer pray &c

Vpon this petic̃on y[e] Engagem[t] of the Sould[rs] y[e] Gou[rnor] was pleased to release Edw: French & admitt him againe to be a Souldier the morning he came away Sept 27[th] 1668.

O. W. L. 2: 279 (NYSL)

M[r] Henry Pauling appointed to lay out the Lotts at the furthest Durp at Esopus.

1668 Nov. 9

Whereas I am informed that some of y[e] Persons who haue leaue to settle at the furthest New Durp at Esopus, haue a desire to goe there this winter, These are to authorize & appoint yo[u] Henry Pauling w[th] the first Conueniency, to lay out to such person[s] their respectiue house Lotts, in the place aforesaid; for the doing whereof this shall be yo[r] warrant. Giuen und[r] my hand at Fort James in New Yorke this 9[th] day of Nouemb[r] 1668 [Francis Lovelace.]

To M[r] Henry Pauling.

O. W. L. 2:279 (NYSL)

An Order for six of the souldiers at Esopus to goe to worke weekly at the furthest New Durpe.

1668 Nov. 9

Whereas It is intended that the furthest New Dorp shall be setled w[th] all Conuenient speed; These are to require

O. W. L. 2:279 (NYSL)

1668 Nov. 9

yo^{u} vpon the Receipt hereof to appoint six of the Souldiers und^{r} yo^{r} Coñand to goe each weeke to worke there, or to send & to take prouisions along wth them, who are to be releiued the following weeke by six others Souldiers, & so to take turnes successiuely weeke aft^{r} weeke, untill further order. Giuen under my hand at Fort James in New York this 9th day of Nouemb^{r} 1668.

[Francis Lovelace.]

To M^{r} Christofer Berisford
at Esopus.

O. W. L. 2:287 (NYSL)

The Gouerno^{rs} Łre to the Officers and Souldiers at Esopus.

Gentlemen

1668 Nov. 17

Hauing now paid yo^{u} of these 6. months last past so y^{t} yo^{u} cannot p^{r}tend any obstructions to the setling the new Plantaco̅n I haue laid out for yo^{u} in w^{ch} I desire yo^{r} vigorous endeauo^{r} that soe by that tyme I shall come up to yo^{u} w^{ch} (wth Gods permission) will be as soone as that weather will p̄mitt) I may see some fruites of yo^{r} Labour yo^{u} may be sure of all the Countenance & assistance I can afford yo^{u} & I shall expect nothing from yo^{u} but a Civill Comportment, I doubt not but by your vertuous endeauours & Gods blessing on yo^{r} labour to giue a comfortable account of yo^{u} to his Royall Highnesse who (I know) will be uery well satisfied wth your undertakings, & the benefitt & content will needs redound to yo^{r} future felicity, w^{ch} as no man wishes more then my selfe so none shall promote it more then

Yo^{r} affectionate freind
F. Louelace.

Forte James in New York
the 17th of Novemb^{r} 1668.

For the Officers & Souldiers
at Esopus.

An Ordr for the suspending the Sentence agt Matthieu Blanchan of Esopus. O. W. L. 2:319 (NYSL)

Whereas Complaint hath heretofore beene made unto me by Matthieu Blanchan an Inhabitant of yor Towne That he was hardly dealt wthall by you concerning a distresse taken of one of his working Oxen wch he kept for the use of his Mill upon account of a trespasse not seeming to be sufficiently proued against him, wherein he sued for redresse: And there being now againe likewise a fresh Complaint exhibited by him against you That yor Court hath wth great seuerity condemned him in a certaine sume of money to be paid as a fyne as also wth banishment for a yeare & othr circumstances in the sentence of that Court sett forth, vpon prtence of Slanderous words giuen by him against one of yor Comissaryes from wch sentence he hath appealed unto me: These are to require you to suspend the putting yor sentence against the said Blanchan in Execucon & that you do no way molest or trouble him any further vpon that occasion but respite all proceedings thereupon untill my comeing vp to the Esopus in the Spring when I shall examyn into the meritts of the whole matter & giue my Judgment and determination therein according to Law & good Conscience Giuen undr my hand at ffort James in New Yorke the 31th day of Decembr 1668. 1668 Dec. 31

[Francis Lovelace.]

To the Schout & Comissary
at Esopus.

The Governors Lettr to ye Magistrates at Esopus. O. W. L. 2:337 (NYSL)

Loving freinds.

Mr Pawling hath fully informed me of what hath past betweene you & ye Esopus Indians, as also of their proposalls 1668/9 Feb. 24

O. W. L. 2:337 (NYSL)

1668/9 Feb. 24

Joyned w^th^ y^e^ South Indians & those of Nevisans to make a firme peace w^th^ y^e^ Maques & Synnekes, I do very well approue of what yo^u^ haue already done, & do thinke it conuenient that their designe of peace should be encouraged & promoted w^th^ all speed To w^ch^ end you'l do well to send some Christian w^th^ yo^r^ Indians (but at their Charge) to see y^e^ same agreed & Concluded upon If yo^u^ are not provided better I thinke Christofer Davies may be a fitt person to receiue instruccõns from yo^u^ therein & to be a witness of what shall be done w^ch^ when it shall be effected at his & y^e^ Indians retorne back I shall expect an Account thereof here when I shall be ready to Ratify & confirme what they shall agree & Conclude upon tending to peace & Vnity I am.

Yo^r^ very Loving freind

Fort James in New York 24^th^ ffeb^ry^ 1668

Fran: Louelace.

O. W. L. 2:481 (NYSL)

[Lovelace to Berrisford at Esopus]

M^r^ Berrisford

1669 July 25

I haue received yo^r^ Letter of the 17^th^ of July together with William Fissher. I approue well of yo^r^ presecuc̃on of yo^r^ Duty; But this I must informe you, that if a Stricter hand had beene kept over the Sould^rs^ wee Should not haue had Such frequent Comp^tts^ of them as dayly aprowch my Eares; For besides fact of this ℘ticular person; I cannot but take notice to you of the great Comp^tt^ of the Sould^rs^ often drunkenesse, debauchery, breaking windowes, quarrelling with all, vindicating them Selues in their owne Causes, and Such like exorbitances that (to Speake plainely) are becoming more the nursery of New-Gate then persons who haue taken on them a Settled and resolved life; Pray therefore lett these things bee amended, and that I may haue no further Cause

to expostulate with you on y^e^ like Subject, I am Sorry I could not in person visitt you this Spring, but Send mee word if any thing bee to bee done in point of laying out the Lotts of their Feilds I will Send then the Surveyo^r^ and Comission^rs^ to effect it, however lett them goe on with their home lotts according to the description I gaue to Pawling, Com̃end mee kindly to all and beleeue mee to bee. O. W. L. 2:481 (NYSL) 1669 July 25

Tom Walton was on the point of Death and hee bequeathed [*blank*] Stl to M^rs^ Broadhead to whom comend mee and tell her her Debt from Fissher is as Safe now as before.

[Francis Lovelace.]

Fort James the 25^th^
of July 1669

Instructions for Ralph Whitfeld Esq^r^, Capt John Manning, & the rest of y^e^ Commission^rs^ for the Affaires at Esopus & the New Villages adjacent.—[1] Col. MSS. (NYSL) 22:99

1. Inprimis — That after you have first publishd yo Commission (w^ch^ you are to doe with all convenient speed after yo^r^ Arrivall) you doe send to y^e^ Sachems of the Esopus who sold their Land to my Predecessor Coll Nicolls to come and acknowledge the Sale of the said Land before you, and upon acknowledging thereof, & renewing of ffriendship, you engage them to doe the like yearely at the same place for the future. 1669 Sept. 11

2. That you acquaint y^e^ Souldiers & all y^e^ Inhabitants in Generall, that now being a time of peace, and Land being

[1] There are two record copies of these instructions, of which this one is the fullest. They exhibit textual variations, and hence both are printed for comparative collation.

Col. MSS. (NYSL) 22:99

allotted to every Souldier for his Subsistance, I have thought fitt to reduce the Garryson, and to take that Charge off his Royall Highnes the Duke.

1669 Sept. 11

3. That then you make Enquiry into y^e^ strength of y^e^ Place by takeing acco^t^ of y^r^ number of ffamilyes & persons capable to beare Armes both at y^e^ Esopus & y^e^ two new Villages, after w^ch^ you are to endeavour to finde out y^e^ best & most convenient way for maintaining a constant Watch at y^e^ Redoubt.

4. That you make Enquiry how y^e^ Inhabitants of Esopus have proceeded in following my Orders and Instructions left them when I was there, and what is the Remora or reason they have not proceeded therein.

5. To make enquiry after, & to view the Land coñonly calld the Wash-makers Land, and to endeavour to know y^e^ p^r^tences of Governour Stuijvesant, or any other person thereupon, and upon what Acco^t^ & consideracõn they claime it.

6. To make enquiry after, and to view a piece of Land adjacent claymed or belonging to Thomas Hall lately deceas^d^

7. To enquire after y^e^ Lymitts & Bounds of Capt Thomas Chambers, whether it be according to his Grants or Pattents, and how much further it extends?

8. To enquire how Capt Chambers is enclined to performe his Vndertakeing last yeare, about erecting & keeping y^e^ Storehouse at y^e^ Redoubt (of w^ch^ you have the Articles,) And if hee still declines to propose it to some other Vndertaker.

9. That you make a speciall Injunction that noe Wheat or other Graine be Transported and mingled with other, without the Corne be very well cleansed; That place haveing already in part lost the Reputation they formerly had.

Col. MSS. (NYSL) 22:99

10. That you give Order, for the ffarmeing of the Excise to the best advantage, and take Acco^{t} how the last years Income is disposed of.

1669 Sept. 11

11. That you take Order that all ꝑsons who have any p^{r}tences to Lotts at the New Durps (w^{ch} was burnt) doe forthwith Settle there under y^{e} penalty of some ffine or forfeiture.

12. That when M^{rs} Broadhead doe remove from the Washmakers Land, you are to take care to make a very good provision for her at the further Dorp, in regard of her great charge, & her being a Commission Officers Widdow.

13. That you take into yo^{r} consideracõn how the further new Durp shall be Governed, as to Officers, and by what Lawes.

14. That you appoint some Officers to order the Well Laying out the High-wayes from one Village to another, & keepping them passable.

15. That you enquire after & appoint fitt places of Rendevous, in case of Insurrection or Invasion, and how each place may have recourse one to the other for Succour.

16. That you take some order for y^{e} reparacõn of the House next to M^{r} Beckmans, commonly calld the Domine's or the State house.

17. That you take great care to regulate the Abuses of the Indyans and their Drunkennes at Esopus, & make enquiry who transgresse in giveing them more Drink or Liquors then is fitting or allowed off.

18. That you cause an Officer to be made in the nature of a Constable amongst the Indyans to keep them in the better Order.

19. That one or more Officers be appointed by you at the further Durpe, to whom the Indyans thereabouts may have recourse for Redresse upon occasion.

Col. MSS. (NYSL) 22: 99

1669 Sept. 11

20. That you take care & give yo^{r} best advice and direction for the continuance of the late made peace amongst the Indyans; & if any breach shall happen, that you give order to make Enquiry into it, and where the fault lyes to cause satisfaction to be given by them, to those Injured or abused.

21. That you cause a Prohibition to be made that noe Strangers be permitted to come amongst the Neighbour-Indyans there, and disturb the publiq^{3} peace.

22. That you acquaint y^{e} Souldie^{rs}, that as soon as their Acco^{ts} can be Stated, to know what is due to them, their Arreares shall be paid.

23. That you likewise take into yo^{r} consideracõn how some Rate may be impos'd upon the Inhabitants there, according to the Lawes Establisht for the defraying their own publiq^{3} Charge.

24. That you cause with convenient speed the Palisadoes to be renewd, and place them at the extremity of the Towne, where the New Addition is made, and to open the comeing in of the Towne in the middle of it, as is designed.

25. That the place for Buryall be impal'd, as likewise the place for a Towne-House.

26. That you take care that the Morasse that lyes under the Towne be drayn'd; whereby the Place will not only be Improovd to be better; But it will contribute much to the health of the place.

27. That according to the Agreem^{t} made before mee, you see that they goe on with the ffence between them & their Neighbours on the other side, That there may be noe further occasion of difference upon that Accompt.

28. And Lastly that haveing done your utmost in prosecuting my Commission, and following these my Instructions, that you break off, and repayre to yo^{r} respective Employ-

ments and Occasions.—Given under my Hand at Fort James in New Yorke this 11th day of September. 1669.
Francis Lovelace

Col. MSS. (NYSL) 22:99

1669 Sept. 11

Instructions for Ralph Whitfeild Esqr Captn Jno Manning & ye rest of ye Comrs for ye Affayres at ye Esopus & ye newe villages adjacent.

O. W. L. 2:530 (NYSL)

Inprimis. That aftr you haue first publis'ht yor Comon wch you are to doe wth all Convenient speed aftr yor arivall, you doe send to ye Sachems of ye Esopus who sould their Land to my prdecessor Coll Nicolls to come & acknowleg ye sale of ye said Land before you & upon acknowledgmt thereof renewing of ffreindship you Engage them to doe ye like yearely at ye same place for ye future. 1669 Sept. 11

That you Acquaint ye Souldiers & all ye Inhtants in Genrll that now being a Tyme of peace & lands being alotted to euery Souldier for his subsistance I haue thought fitt to reduce ye Garrison & to take that Charge of from his Royal Highness ye Duke.

That then you make inquiry into ye strength of ye place by taking Account of ye numbr of ffamilyes & psons Capable to beare Armes both at ye Esopus & ye Two neare villages aftr wch you are to endeauour to fynde out ye best & most Conuenient way for maintaining a Constant watch at ye Redoubt.

That you make inquiry how ye Inhabitants of Esopus haue proceeded in following my Ordrs & Instructions left wth them when I was there & what is ye Remora or reason why they haue not proceeded therein.

To make inquiry aftr & to view ye Land comonly called Washmakers Land & to endeavour to know ye prtences of

O. W. L. 2: 530 (NYSL) Gouerno^{r} Stuyvesant or any oth^{r} pson thereupon & upon what Account & consideration they clayme it.

1669 Sept. 11 To make Enquiry aft^{r} & to view a peice of Land adjacent Claymed or belonging to Thomas Hall lately deceased.

To Enquire aft^{r} y^{e} Lymitts & bounds of Capt^{n} Thomas Chambers his Land wheth^{r} it be According to his Graunts or Pattents & how much furth^{r} it extends.

To Enquire how Capt^{n} Thomas Chambers is encly'nd to perfourme his undertaking y^{e} last yeare about Erecting & keeping y^{e} Store house (at y^{e} Redoubt of w^{ch} yo^{u} haue y^{e} Articles) & if he still declynes it to propose it to some other undertaker.

That yo^{u} make a Speciall Injunction that noe wheate or oth^{r} Grayne be transported & mingled wth oth^{r} wthout y^{e} Corne be very well Cleansed that place haueing already in parte lost y^{e} good reputation they formerly had.

That yo^{u} giue Ord^{r} for y^{e} farming of y^{e} Excise to y^{e} best aduantage, & take Account how y^{e} last yeares Income is disposed of.

That yo^{u} take Ord^{r} that all psons who haue any Pretences to Lotts at y^{e} New Dorpe (w^{ch} was burnt) doe forthwth settle there und^{r} y^{e} penalty of some fyne or forfeiture.

That if M^{rs} Broadhead doe remoue from y^{e} Washmakers land yo^{u} take Care to make a very good prouision for her at y^{e} furth^{r} Dorpe in regard of her great Charge & her being a Com^{on} Offic^{rs} widdow.

That yo^{u} take it into yo^{r} Consid^{r}ation how y^{e} furth^{r} new Dorp shall be Gouerned as to Officers & by what Lawes.

That yo^{u} appoint some Officers to ord^{r} y^{e} well laying out y^{e} High wayes from one Village to an oth^{r} & keeping them passable.

That yo^{u} inquire aft^{r} & appoint fitt places of Rendevous

in Case of Insurrections or Invasions & how each place may haue Recourse one to ye othr for succour. O. W. L. 2:530 (NYSL)

That you take some Ordr for ye Reperation of ye house next to Mr Beeckmans comonly called ye Dominies or ye State house. 1669 Sept. 11

That you take greate Care to regulate ye abuses of ye Indians & their drunkenesse at Esopus & make inquiry who transgresse in giving them more drinke or Liquors then is fitting or allowed of.

That you Cause an Officer to be made in ye Nature of a Constable amongst ye Indians to keep them in ye bettr Ordr

That one or more Officers be appointed by you at ye furthr Dorpe, to whome ye Indians thereabout may have recourse for redresse upon Occasion.

That you take Care & giue yor best advice & direction for ye Continuance of ye Late made peace amongst ye Indians, & if any breach shall happen that you giue Ordr to make inquiry into it & where ye fault lyes to cause satisfaction to be giuen by them to those injured or abused.

That you Cause a prohibition to be made that no Strangers be pmitted to come amongst ye neighbour Indians there & disturbe ye publique peace.

That you Acquaint ye Souldiers that as soone as their Accounts can be stated to know what is due to them their Arrears shall all be paid off.

That you likewise take into yor Consideration how some rate may be Imposed upon ye Inhabitants there According to ye Lawes Establis'ht for ye defraying their owne publique Charge.

And Lastly that hauing done yor utmost in psecuting my Comon & following theise my Instructions that you breake

O. W. L. 2:530 (NYSL) of & repaire to yor respectiue Employmts & Occasions, Giuen undr my hand at ffort James in New Yorke this 11th day of Septembr 1669.

1669 Sept. 11 [Francis Lovelace.]

O. W. L. 2:535 (NYSL) The Gouernors Comission to seuerall psons for ye regulation of ye Affaires at Esopus &c

Francis Loulace Esqr Gouernor Genrll undr his Royall Highnss James Duke of Yorke & Albany &c of all his Territoryes in America, To all to whome theise prsents shall come sendeth greeting.

1669 Sept. 11 Whereas there are seuerall affaires at Esopus & ye New Dorpes or Villages adjacent wch require a regulation by some psons of Integrity & Expience to be upon ye place & there lying likewise before me some Complaints of irreguler proceedings in ye Cort there wch ought to be Examined & rectifyed, For ye better managing ye said affaires & to put an end to any such differences, I haue thought fitt to nominate constitute & appoint & by this my speciall Comission doe nominate Constitute & appoint you Ralph Whitfeild Esqr Captn Jno Manning Captn Thomas Chambers Mr William Beckman, Mr Christopher Berisford & Mr Henry Pawling to be Comrs to Examyn into & to regulate ye affaires there according to such instructions as I shall herewth giue you of wch said Comrs you Ralph Whitfeild are to be prsident, & any foure of you shall be a *Quorum*, you are upon your arivall there to make ye Inhabitants in Generall acquainted wth this my Comission, & if there shall happen to be any difference betweene any of them wch may be of a nature aboue ye ordinary cognizance of ye Schout & Comissaryes you are hereby impowred to heare & determyn ye same, or

what euer else of the like nature shall occurre besides what pticulerly is given yo^{u} in charge in yo^{r} instructions And as yo^{u} shall see cause yo^{u} may call before yo^{u} any ꝑson or ꝑsons & for y^{e} clearing of y^{e} truth administer an Oath unto them (y^{e} w^{ch} yo^{u} are hereby impowred to giue) & whatsoeuer yo^{u} or so many of yo^{u} as shall make a Quorū shall lawfully Acte or doe in y^{e} prosecution of this my speciall Cōmission this shall be to yo^{u} & euery of yo^{u} a sufficient warrant Given und^{r} my hand & seale at ffort James in New Yorke this 11th day of September in y^{e} 21th yeare of his Ma^{ties} Raigne Annoq^{e} Dn̄i 1669. [Francis Lovelace.]

O. W. L. 2:535 (NYSL)

1669 Sept. 11

[Proceedings of the Special Court of Commissioners for regulating Affairs at Esopus, etc.]

Col. MSS. (NYSL) 22:99

Æsopus. Sept. 17th 1669.

At a Speciall Court held there by vertue of a Commission from his Hon^{r} the Governour to Regulate the Affayres of that place and the Villages adjacent.

1669 Sept. 17-29

All the Com̄^{ners} being then present, the Sachems were sent for to attend them &c:

They likewise gave Notice to the Souldiery of that place to appeare the next day at 2 of the Clock in the Afternoon.

The Com^{rs} then adjourn'd till y^{e} next day at eight of y^{e} Clock in y^{e} fforenoone, and went to view the Villages, and nam'd the further Village Marbeton [*sic*] according to his Hon^{rs} directions.

Three places of Rendevouz were appointed for Safegard of the Villages, viz^{t} the first in y^{e} middle of Marbleton, the second at Halfe way ground, the third in Hurley, which is the Village next to Esopus, and then soe nam'd by them.

Col. MSS. (NYSL) 22:99

Septem: 18th

1669 Sept. 17-29

Present all ye Comrs. John Joesten petitioned about the exchange of a Lott, it lyeing not properly before us it was thrown out.

Ander Cooley produced before them ye Genllls Speciall Warrant, and desir'd a continuance of the Attachment, the Court acquiest in that, and dismissd him.

Matthias Blanchan peticoned for a Lott of Land according to his Patent.

Garrett Fokar peticoned for a certaine Lott promisd (as hee alleadged) by the late Governour, and his Honor the present Governour.

Both were referrd to Munday at 2 of the Clock in the Afternoone. since wee are inform'd Mr Nicolls hath Order to draw it up.

The Comrs then drew up this Order wch was immediately publishd, and after affixd to the Doore of the Towne House, as followeth.

Whereas the Comrs appointed by his Honor ye Governor to regulate & settle ye affayres of Sopus and ye Villages adjacent, have heard of severall prtences or Titles to ye Washmakers Land; and the Villages adjacent made by severall persons, and the Lands prtended to by Thomas Hall lately deceased, They have thought fitt for the clearing and determining of all Claymes concerning those places to warn all persons to bring in their Patents or prtences to the places aforemenconed, and doe hereby strictly Enjoyne all persons to bring in their Patents or Pretences on Munday next, about 2 of the Clock in the Afternoone to them who shall be then sitting at the Towne-House at Sopez, Then & there to receive a Conclusion and Judgmt of their severall Titles & prtences as may be most satisfactory to the said severall

Pretenders. Given under my hand at Sopez this 18th of September — Col. MSS. (NYSL) 22: 99

Ralph Whitfeld[1] Prest

1669 Sept. 17-29

Resolved then that ye Watch at ye Redoubt should be maintaind by ye Towne of Sopez only; The Villages haveing enough to doe to defend themselves.

Septem: 20th —

A Speciall Ordr from his Honr Dated Septembr ye last, and directed to ye Scout and Commissaryes there was read; And the Towne was ffyned ffifty Skepple of Wheate, for not performing one Particular there; vizt ffor not impaleing the Buriall place; The rest of the Injunctions of the Scoute is to give further Answer to.

It was agreed to make an Ordr to prvent the making of ye Indyans drunk, for the first Offence five pound to be paid by ye Offender, for the second ten pound, for the third Banishmt.

A Peticon was then deliverd by Cornelis Barnsen Slecht concerning a Grant of Land the Busines was orderd to be heard the day following.

Albert Heymensen peticond to sett up a Brewhouse and Tan-ffatts in Hurley.

It was orderd yt ye Scout & Comissaryes should take care that two Men should constantly watch at the Redoubt.

A List of ye Men able to beare Armes at Sopez was then brought in, with ye number of the ffamilyes there, but noe Accot then given of the two Villages.

The Court examining all ye Patents, wch were then brought in (excepting only Mr Stuyvesants, Peter Schijler & Thomas

[1] So written in the manuscript and not autographic.

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Hall) and finde in them nothing nam'd concerning the 2d Styck or peece, either by Dutch Patent or English.

1669 Sept. 17-29

Complaint was made by an Indyan that Tijerk Claes had employd & not paid him; the Court made him make satisfaction, and ffyned Tork Claes.

Septem: 21th —

Capt Chambers produc'd severall Patents for Land and House-Lotts

The first for — 38 Morgn & — 451 rod
The second for — 5 Morg: & — 230.r
The third for — 26 Morg: & — 52.r.
The fourth for — 45 Rod & ffoure ffott, being A Home Lott.

The fifth Patent had foure Grants in one
- The first — 440 rodd
- The second — 160 rodd
- The third — 504 rodd
- The fourth — 128 rodd.

The 6th Patent 4. Morgan and a halfe.

The Busines between Cornelis Barnsen Slecht & Hendricks Children was orderd to be determined on ye 22th Instant.

Orderd that the Excise should be offerd to ffarme on ye 22th instant at 4 of the Clock in ye Afternoon.

Then orderd that Robt Gouldsberry should have 12 Acres on Land in Marbleton.

Capt Chambers refusd to meddle with the building of a Storehouse at the Redoubt, it was then offerd to others but noe Man would undertake it.

Matthias Blanchan appeard in y^e^ Afternoon to make good his Petic̃on against Tierck Claus de Wijt; upon a full heareing his Banishment was repeald, and his ffyne of six hundred Guilders reduc'd to two, w^ch^ was to be paid to the Scout. Col. MSS. (NYSL) 22: 99 1669 Sept. 17-29

Septem: 22^th^ —

The Instructions being then read over againe every Particular was debated; and y^e^ Resolution of them will appeare in the Answer to y^e^ Instructions at large.

Blanchan complaind against a Sould^r^; It was referrd to Capt Manning, M^r^ Beakman, & M^r^ Berrisford to heare, determine, & then Report.

The Scout & Com̃issaryes desyred Time to consider of the Watch at y^e^ Redoubt, and to Answer the Instructions formerly directed to them from his Honour, and were to bring in their Answer on Thursday.

Septem: 23^th^ —

M^r^ Pawling was Voted to be y^e^ Officer to whom y^e^ Indyans should repaire for Redress of Injuryes in Kingston, Hurley, & Marbleton, and that hee take Care, noe Stranger Indyans come among them.

M^r^ Bereford [*sic*] chosen chief Magistrate of Marbleton & Hurley to bee above a High-Constable & short of a Justice of peace, & two Overseers in each Towne to be chosen.

That hee have power to hear & determine concerning the High-Wayes, the Overseers to give him an Acco^t^.

That M^r^ Chambers have an Acco^t^ from y^e^ Scout & Commissaryes of Kingston of the High-wayes belonging to that place, and have the same power to heare and determine.

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The Towne to be ffined if the Morass be not drayned by y^e^ last of November, one hundred Skepples of Wheat.

1669 Sept. 17-29

John Reynolds of Marbleton desired a quantity of Ground there, alledging his Hon^rs^ promise for more then a Lott.

The Scout & Com̃issaryes then gave an Acco^t^ of certain Instructions formerly sent to them; viz^t^ That to the Motions of the Indyans they will be watchfull over them, and will upon any Occasion give notice to the Governour;

That they will new Tyle the Towne House where wanting.

The Com̃issaryes & Scout will provide an Officer to Cleanse the Corne and measure it.

The Watch at the Redoubt to be kept by two Men, appointed by them; And the Scout & Com̃issaryes are to take care to keep it in repayre at the Charges of Kingston.

The Business between Barens Slecht & Hendricks Children was heard & adjudged for Hendricks.

M^r^ Pawling petic̃oned the Commission^rs^ to discharge him under their hands from certaine Injunctions his Hon^r^ formerly laid upon him; They answered They would make his Hono^r^ acquainted with it.

These Orders following were then drawn up and afterwards publishd, and affixt to the Doore of the Towne-House.

An Ord^r^ that noe Wheat or other Graine be Transported or mingled with other, without the Corne be very well cleansed.

Whereas y^e^ Com^rs^ appointed by his Hon^r^ the Governour to Regulate & settle y^e^ Affaires of Kingston & the Villages adjacent have had certaine Informac̃on that all sorts of Graine growing here, and being the proper product of Kings-

ton & the Villages adjacent have not been well cleansed, & soe become less merchentable to the great disrepute & prejudice of the place; To prvent wch Inconvenience for the future; They have thought fitt to Order, and doe hereby strictly Order & enjoyne that noe person doe utter or sell any Graine whatsoever to be transported from Kingston, Hurley & Marbleton but such as shall be well cleansed and unmingled upon paine of forfeiture for any such negligence or default one full quarter part of such Graine soe utterd or sould contrary to this Order, one third parte soe forfeited to goe to our Soveraigne Lord the King, one third part to the Informer, & the other third part to the Scout & Comissaryes then being (who have hereby power to name the Officer for this purpose) to goe towards the charges of keeping the Watch at the Redoubt; And that it shall be lawfull for the Informer to seize & detaine in possession such graine untill upon complaint made to ye Scout & Commisryes or any two of them, the matter in question be Determined; Which they are to doe with all speed convenient according to the Tenure of this Order. Given &c: 23d Septem: 1669.

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1669 Sept. 17-29

An Ordr for ye Draining ye Swampish or Morasse Ground adjoyning to the Towne of Kingston.

Whereas his Honr ye Governor had formerly sent Instructions to the Scout and Comissaryes of Esopus now called Kingston about severall Things relateing to that place; and hath since Comissioned severall ℔sons to Regulate & settle ye Affaires there, who among other particulars in thier Instructions are obliged to enquire after the performance of what was formerly given in Charge, to the said Scout and Comissaryes, & findeing one Article belonging to the Pub-

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lique Good as yett unperform'd, viz^{t}, the Draining the Swampish or Morasse Ground lyeing & adjoyning to the said Towne, The Com^{rs} in pursuance of those Instructions have thought fitt to hasten the performance of it. And doe hereby strictly charge the Scout & Com̃issaryes (in regard it would very much conduce to the health of the place, & the Improvem^{t} of soe much ground which is rendred at p^{r}sent almost useless) to Draine the said Swampish or Morasse ground by the last day of November next ensueing, upon paine of forfeiture of one hundred Skepples of Wheat to his Ma^{ty}, according to the Vote and Sentence of the Court this day held by the said Commissioners to be Levyed on the said Towne of Kingston. Given &c: this 23^{d} of Septem: 1669.

1669 Sept. 17–29

An Ord^{r} for y^{e} Repayre of the Domine's House or Towne-House in Kingston.

Whereas the Com̃^{ners} appointed by his Hon^{r} the Governour to Regulate & settle y^{e} affaires of Kingston & the Villages adjacent have among other Instructions one concerning the Reparac̃on of the Domine's House or Towne-House in Kingston w^{ch} now growes ruinous, to prevent further damage, it being of absolute Necessity to keep that House in good repaire in regard of the frequent use of it both for Religious Dutyes and Civill Affayres, It is thought fitt to give Order in that behalfe. And the Scout & Com̃issaryes of this Towne are hereby strictly enjoyned to repaire y^{e} said House as soon as they can gett Pan-Tiles to doe it, and other Materialls thereto requisite; Which Reparation (it being for the publique Good) ought to be performd at the publique Charge; And which they are hereby empowered

to demand and Levy in this Towne of Kingston, And that they doe give an Acco^t to his Honor the Governour of the performance of this Order as soon as it shall bee by them Obeyd. Given &c: this 23^d of Septemb^r 1669. Col. MSS. (NYSL) 22:99 1669 Sept. 17-29

An Ord^r to p^rvent Drunkenness among the Indyans.

Whereas the Com̃^ners appointed by his Hon^r the Governour to Regulate and settle the Affaires of Kingston & y^e Villages adjacent have been inform'd that severall persons Inhabitants of Kingston have for their private Lucre & Gaine Sold to the Indyans thereunto resorting great quantityes of Strong Liquors wherwith They have been frequently drunk to the great dishonour of Christian Religion, and the breach of the Lawes of this place; They have thought fitt in order to prevent all Excess and Deboishery in that kinde for the future, strictly to Enjoyne, And they doe hereby strictly enjoyne all persons not to utter or sell to any Indyan or Indyans such quantityes as shall make them drunk upon the Penaltyes following. viz^t ffor the first Offence the person soe selling is to pay ffive pounds, for the second Offence Ten pounds, and for the third Offence to suffer Banishm^t out of this Towne; Which Summe or Summes the Scout is hereby Empowered to Levy by way of Seizure or Distress of any such Offenders Goods; Two parts of which said penaltyes or fforfeitures are to goe to the Reliefe of the poore of this place, and the third part to the Scout. Given &c: this 23^d of Septem: 1669.

The like Order as drawn up for Hurley & Marbleton, *Mutatis mutandis.*

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1669 Sept. 17–29

Septem: 24th —

An Order for the laying out & keeping passable the High-Wayes & Comon Roads in Kingston, Hurley & Marbleton.

Whereas the Comners now appointed by his Honor the Governor to Regulate & settle ye Affaires of Kingston, Hurley, & Marbleton are obliged by a particular Article in their Instructions to take care that ye High-wayes & Common Roads belonging to those three Townes be conveniently layd out and constantly kept passable, They have thought fitt to Order & doe hereby Order that the High wayes and Common Roads belonging to Kingston be kept passable by ye Scout & Comissaryes belonging to Kingston, who have hereby power to Command every person (whom they shall adjudge lyable) to attend their Orders in the mending of the High-wayes & Common Roads, and to ffyne such as shall neglect or refuse to obey their Summons according to such Contempt; And if the Scout or Comissaryes shall neglect their Duty herein of supervising or ffineing Offendrs where just cause is, That then Capt Thomas Chambers who is hereby made & constituted Surveyour Generall of the High-wayes or Common Roads for the three abovemenconed Townes or Villages, shall have & hereby hath power to ffyne the Scout & Comissaryes or any such of them as shall omitt his Duty therein; As before expressed 20 Skepple of wheat to be paid to our Soveraigne Lord the King; wch power as Surveyor Generall hee is to exercise within twenty one dayes after the Date of this Order in Kingston; And whereas Mr Christopher Berrisford is chosen Chiefe Magistrate for the Townes of Hurley & Marbleton, hee is hereby empowered to Command the Overseers in each Towne to take the like care for the

mending & repaireing of the High-wayes in those two last menc̃oned Townes; & to ffine all Overseers of both places or any of them as shall neglect their Duty in 20 Skepple of Wheat to be paid to his Ma^tie, and hath hereby power to Levy the same; And if the said Christopher Berisford shall refuse any part of his Duty herein, That then y^e said Surveyour Generall of the Highwayes shall have power to ffine him 20 Skepple of Wheat to his Ma^tie, and to Levy it for the use aforesaid; which power in both the said Thomas Chambers & Christopher Berrisford shall begin within 21 dayes after the Date hereof in Hurley, and 21 dayes after the laying out of the Lotts in Marbleton. Given &c: this 23 Sept: 1669.

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1669 Sept. 17–29

An Ord^r for the settling of Hurley.

Whereas severall persons by vertue of former Ground-Briefs or Patents claime Lotts or proportions of Land in Hurley, & have neglected their Settlements there, alledging frivolous reasons for their soe doeing, to the publiq̃ prejudice; It is thought fitt by y^e Commiss^rs now authorized by his Hono^r the Governour to Regulate & settle The affayres of that Towne & y^e places adjacent, to Declare & Order; And they doe by this Declare & Order that every person haveing a Ground-Briefe or Patent to any Lott or proportion of Ground doe settle their said proportion by the first of Aprill next ensueing the Date hereof; And if any person soe claimeing shall refuse to Settle his Lott or proportion according to y^e Tenor of this Order, That then such Lott or proportion shall immediately become forfeit to his Ma^tie, and to be dispos'd of as his Hono^r y^e Governour shall think fitt, and withall to pay Twenty pound as a ffine to his Ma^ty, w^ch y^e chiefe Magistrate of this Towne is empowered to Clayme

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& Levy to the use abovesaid. Given &c: Sept: 24th 1669.

1669 Sept. 17-29

There appeared some Indyans though none of ye Sachems that sett their hands to the Sale of ye Land to Coll Nicolls; two of the Sachems to that Sale & one of ye Witnesses are dead. It is left to Mr Pawling to Summon them, and to endeavour ye performance of that Article.

It was orderd yt ye Scout should bring in the Charges as it stands in the Towne Book, that Barents Slecht may be paid againe by Hendricks Children.

Blanchan to have an Order for his 1500 Sheafs of Reed burnt by ye Souldiers to oblige them to make him satisfaction.

Katherine ye wife of John Jonson complaind of her Husbands beating of her; Hee & his two Suretyes enterd into recognizance of Ten pound a piece that hee should keep the peace. The Bond is in Mr Beakmans hands.

Septembr 25th —

Blanchans Ordr was then drawn up & directed to Mr Berrisford.

Barens Slecht's Ordr was then drawn up.

An Order was then drawn up for the keeping the Watch at the Redoubt, & repaireing it.

Instructions were then drawn up for Mr Berisford chiefe Magistrate of Hurley & Marbleton.

Instructions were drawn up for Mr Pawling Officer over the Indyans.

The Ordr for the Redoubt —

Whereas ye Com̃ners now empowered by his Honr ye Governor to Regulate ye Affayres of Esopus now called

Kingston & the Villages adjacent have taken into consideration the Keeping of a Constant Watch at the Redoubt at the Charge of the parrish of Kingston, obligeing them to finde two Men to remaine constantly there upon this Duty; They have thought fitt to Order, and doe hereby Order y^t^ y^e^ Scout & Comissa^rys^ of Kingston doe take constant care for the Reliefe of that Watch: and whereas the said Redoubt is very ruinous, they are hereby enjoynd to repaire well and sufficiently the said Redoubt within six weeks after the Date hereof, upon paine of forfeiture of twenty skepple of Wheat to our Soveraigne Lord the King; And soe constantly to keep it in good repayre. Given &c: this 25^th^ of Septem: 1669. Col. MSS. (NYSL) 22:99 1669 Sept. 17–29

On this day (viz^t^ 25^th^) the Towne formerly calld Sopez was named Kingston.

Septem: 27^th^.—

Complaint was made by Peiter Vlesen about a House now in y^e^ possession of Sam: Olliver &c: It was Orderd upon y^e^ hearing of that Complaint that the Scout should deliver possession thereof to the said Vlesen &c:

An Order was then drawn up for Tijerk Claesen to make satisfaction to y^e^ Indyan hee employed &c:

Two Orders were then drawn up for settling the Excise in the two New Villages. viz^t^ for Hurley.

Whereas it is thought fitt to Settle y^e^ Tapp^rs^ Excise in Hurley, it is hereby Orderd that M^r^ Beresford doe take care for the settling & gathering of it in the said Towne of Hurley: And that hee observe to sett the same Rates, and use the same course in gathering it; and have the same power in

Col. MSS. (NYSL) 22: 99 every regard upon refusall of paym^t to Seize or distreyne as is usd at Kingston; And is hereby obligd every yeare to give an Acco^t thereof to his Hono^r the Governour.

1669 Sept. 17–29 Directed to M^r Berrisford.

The Like for Marbleton.

These 3 Lotts following are vacant by y^e death of y^e ꝑsons to whom they were promisd, and are to be disposd of as his Hon^r y^e Governour shall appoint.— viz^t.

Constaples.	Jan Joosts.	David Crawfords.
1.	2.	3.

An Ord^r was drawn up for Albert Heymensen's erecting of a Brew-House & setting up of Tan-ffatts; referrd to M^r Beresford to consider of the place.

Overseers for Hurley } Lewis de Boys; Albert Heymens

Overseers for Marbleton } John Biggs; Fredrick Hussey.

Ankrup an Indyan petic̃ond against Capt Chambers p^rtending hee was not paid for certaine Lotts of Lands.

It was referrd to y^e next Morning.—

Septem^r 28^th —

Ankrup the Indyan appearing, Capt Chambers produc'd the Bill of Sale, & y^e Indyan then ownd his marke, & full

satisfaction for the Land; the Com̃nrs then caused that Acknowledgmt to be Endorsd on the Bill of Sale; And they took care that unjust Complaints from ye Indyans in that nature should be punished. Col. MSS. 22:99 (NYSL) 1669 Sept. 17–29

Septem: 29th —

An Ordr for the Officer to measure Corne was then made as followeth — vizt

Whereas 'twas thought necessary by ye Com̃ners &c: that an Officer should be chosen to supervise & measure all sorts of Corne & Graine that shall be Transported from Marbeton, Hurley and Kingston to other parts; To ye End that none but what is merchantable may be utterd or sold; It is hereby orderd that ye Scout & Com̃issaryes of Kingston shall Elect & choose a person whom they shall judge Most fitt for ye Execution of that place; And they are hereby empowered to Charge every person soe uttering or selling any Corne or graine with the paymt of one Styver upon the Skepple then to ye said Officer, when any such Corne or Graine shall be brought to be viewd or measur'd, by the Owner or bringer of ye same to the said Officer; Who is hereby commanded to suffer noe Transportac̃ons to be made of any such Corne or graine, but what is truely merchantable. And that the Scout and Commissaryes or any two of them be made Judges of any default or Complaint; or have power to punish where any cause is in any thing menc̃oned in this Order both to the Officer soe chosen, or any person that transports such Corne or Graine. Given at Kingston. Septem: 29th 1669.

This Morning the Court was Dissolvd.

Col. MSS. 22:99 (NYSL)

[Report of the Commissioners to Governor Lovelace.]

1669 September

The Answer of ye Com̃ners to his Honors Instructions annexed to the Commission. as followeth.

1. On Thursday ye 16th of this Instant the Com̃rs arrived at Kingston. In the Evening meetting wth Capt Chambers & Mr Beakman joynd likewise in Commission with them, 'twas privatly read. The next Morning being ye 17th Instant a Court being calld ye Commission was publiquely read, all ye Com̃ners being present (& were constantly soe dureing the setting of the said Commission) and the Inhabitants were fully informd of the cause of their Comeing; and how great a care of his Honor ye Governour had for their prosperity and welfare, not only in remedying some former irregular Proceedings there, and composeing the private differences of unfriendly persons, but by takeing the best way for setling ye 2 new Townes, and endeavouring to render them as flourishing as ye place could make them, which was soe pleasing to the Inhabitants that they espressd that acknowledgmt which was due to soe excellent a person.

The Sachems being then sent for, a few dayes after appeared Waposhequiqua, and Sewakanomæ two of those Sachems that sould the Land to ye late Governour Niccolls, who ownd their marks with ye whole agreemt; An Indyan who came with them sett his hand to the paper, & they were then obliged to bring two young Men to wittness what they own, the other two Sachems menc̃ond in that Agreemt are dead, but these Sachems that appeard obligd themselves to bring ye Successors of those deceased to Mr Pawling, to whom it is referred to give full answer to ye rest of this Article.

2. This they were acquainted with, & they are willing

to turne the Sword into a Plow sheare, Only in regard their Lotts are not measured out to them yett, & the little ground they manure at present, bringing in a poore Revennew, likely to discourage new Beginners, it is humbly desird y^t^ their Provisions may be continued six months longer. Col. MSS. 22:99 (NYSL) 1669 September

3. They have a List of the ffamilyes of the three Townes, w^th^ y^e^ number of them that are able to beare Armes.

ffor the maintaining the Watch at the Redoubt it is imposd wholly upon Kingston, the other Towns being exposd to more danger from y^e^ Indyans, and in that regard may very well be excusd from that Duty, the Scout & Comissaryes are to take that Charge upon them, and an Order is drawn up for it.

4. The former Instructions to y^e^ Scout & Comissaryes are these, ffirst to renew the Pallizadoes, & place them at y^e^ extremity of the Towne where y^e^ addition is to be made, & to open the Towne in the middle.

To this y^e^ Scout & Comissaryes answer that they doe repaire the Stockadoes, & that they conceive the Towne needs noe Enlargem^t^, it decreasing in people, when it encreaseth they will be very ready, which will if now be a very great Charge to the few Inhabitants.

Secondly y^e^ place of Buriall was to be impald, this hath been altogether omitted, & the Towne fyn'd for it 50 Skepples of Wheat.

ffor the impaleing a place for a Towne House there, they conceive it a mistake, they have a Towne House already, standing conveniently within y^e^ Towne.

Thirdly to Drayne the Morasse.

This hath been omitted, but an Order is drawn up under a penalty to have it suddenly done.

Lastly for the ffence, when any come to live on the other side they are ready to obey that Command.

Col. MSS. 22: 99 (NYSL)

5. 6. They have viewd both Lands but noe Patents were produced though enquird after.

1669 September

7. A Patent was granted to Capt Chambers for Coll Nicolls of the Land here menc̃oned, & was never surveyd, Soe wee cannot give any Acco^{t} of it; his other Patents wee have seen, and judge them to be indifferently measurd.

8. Capt Chambers doth absolutely refuse to meddle with it, 'twas offerd to others, but none accepted it.

9. An Order is publishd to redress it.

10. The Excise was offered to ffarme, but noe person comeing neer the vallue it is continued as before; ffor the last yeares Income, they have y^{e} Scouts Acco^{t}

11. An Order is publisht concerning it.

12. M^{rs} Broadhead hath 100 Acres allotted her.

13. They have chosen M^{r} Christopher Berisford Chiefe Magistrate over Hurley & Marbleton who is to Govern by English Lawes, there is likewise chosen two Overseers in each Town under him.

The Instructions they left for M^{r} Beresford till y^{r} Hono^{rs} further directions are as followeth.

Whereas you are chosen by y^{e} rest of the Commission^{rs} Chiefe Mag̃rate over Hurley & Marbleton, You are to observe these Instructions following; If any Order or Command shall be directed to you from his Hono^{r} y^{e} Governour, concerning those places committed to your Charge, You are speedily to Obey them, which you may the better doe by the help of y^{e} Overseers in each Towne, whom you have power to Command in any thing that concernes the Execution of yo^{r} Office. If any difference ariseth between y^{e} Inhabitants, you are to give them a speedy Decision, not regarding partyes but y^{e} merritt of y^{e} Cause, And you are likewise to take the same Care that the Overseers doe their Duty, in whatsoever they are com̃anded in relation to their

places. You are to Governe by English Lawes which will speedily be sent you; & as you are obliged to preserve the peace as much as you can between particular persons, soe you must endeavour that those Townes comitted to your Charge may well agree among themselves, and both wth Kingston; And that you take away all Obstructions from that Trade or Correspondency You have with ye Indyans, & give his Honr the Governour an Accompt of whatsoever you judge considerable by the first Opportunity. Col. MSS. 22:99 (NYSL) 1669 September

14. An Order is publishd, & ye Officers nam'd.

15. Three Places of Rendevouz are appointed, ye first in the middle of Marbleton, ye second at Halfe-way Ground, the third at Hurley.

16. An Order is publishd for it.

17. An Order is publishd for it.

18. 19. 20. 21. Mr Henry Pawlling is made the Officer over the Indyans, and those foure particulars fall under his care.

His Instructions are as followeth.—

Whereas you are chosen an Officer over the Indyans, you are strictly to observe the above written particulars, and not to make your own Interpretacons, but to follow precisely the Letter of those Articles; And you are not hereby anywayes empowered to prevent or hinder ye Trade of any person with the Indyans, or give any cause of just complaint, but to carry your selfe answerable to the Trust reposed in you; And in case of any disturbance or Riott among the Indyans, that may Endanger the publique quiet, You are to repaire to the next Magistrate in that Towne, & consult with him or the rest of the Magistrates what is best to be done for yor assistance & the keeping of ye publiq peace; And you are likewise to performe the remaining part of the first Article in the Generall Instructions, and send an Acct thereof to

Col. MSS. 22:99 (NYSL)

his Honor ye Governour, as likewise of any thing of Moment concerning the Indyans by the first Opportunity.

1669 September

22. The Souldiers are acquainted & well pleased with it.

23. This is to be Regulated as in Long Island. And it is desir'd a Coppy of the Lawes may be sent them.

24. This is willingly obeyd, & they humbly desire, that in this and in all other your Commands yor Honor would be pleasd to accept of their Endeavors

Signed[1]— Ralph Whitfeld prt
John Manning
Thom: Chambers
Wm Beckman
Christoph: Beresford
Henry Pawling.

C. A. 2:476 (NYSL)

The Governors Łre to Esopus.

Gent.

1669/70 Mar. 11

I make use of ye first oppertunity aftr ye opening of ye Ryver to recomend to yor care ye Ordrs & Instructions already giuen you by my selfe or left wth you by ye Comrs I sent as to ye goeing forward wth ye New Dorpe or othr mattrs relating to you in Genrll Intending to visitt you in a short tyme, & to bringe a Surveyor wth me to lay out yor Lands before ye grasse growes too high, when I hope to fynde yor forwardness according to Expectation, what is to be done on my parte for yor Encouragemts you may confidently promise yor selues, So wishing you good successe I remaine

Yor Very Loving freind
Fran Louelace

Fort James in New Yorke
this 11th day of March 1669.

[1] These names are so written by the secretarial hand.

I Expect to heare from yo^{u} by y^{e} next, how affaires stand wth yo^{u} in Relac̃on to y^{e} Indians about y^{e} Peace C. A. 2:476 (NYSL)

To M^{r} W^{m} Beeckman
M^{r} Xpofer Berisford &
M^{r} Henry Pawling
In Kingston
At Esopus 1669/70 Mar. 11

A Com̃ission to Capt^{n} Dudley Lovelace & al for y^{e} surveying & laying out seuerall Lotts of Land at y^{e} Esopus &c C. A. 2:481 (NYSL)

Francis Lovelace Esq^{r} &c Whereas y^{e} bounds & Lymitts of y^{e} Townes at Esopus That is to say of Kingston Hurley & Marble Towne haue not hitherto beene sufficiently layd out & ascertained neith^{r} hath a division as yett beene made of y^{e} perticuler new Lotts & some of y^{e} p^{r}tenders to y^{e} old Lotts laying clayme to greater quantityes of Land then is graunted to them in their Patents or Ground breifs y^{e} w^{ch} requires an inspection thereinto & a due Regulation thereof, To y^{e} end theise seuerall matters may be y^{e} better concluded, I haue thought fitt to nominate constitute & appoint & by this my speciall Com̃ission doe nominate constitute & appoint you Capt^{n} Dudley Lovelace, Capt^{n} Jaques Cortileau M^{r} William Beeckman, M^{r} Christopher Berisford & M^{r} Henry Pawling to be Com^{rs} to inspect y^{e} surveying & laying out y^{e} seuerall Lotts in y^{e} Esopus & to ascertaine y^{e} bounds & lymitts of y^{e} respectiue Townes as also to regulate affayres there according to such instructions as I shall herewth giue yo^{u}, of w^{ch} said Com^{rs} yo^{u} Capt^{n} Dudley Lovelace are to be p^{r}sident, & any of you to be a *Quorum* You are upon yo^{r} arivall to acquaint y^{e} Inhabitants of each Towne wth this my Com̃ission y^{e} w^{ch} you are to prosecute wth all care & 1669/70 Mar. 17

C. A. 2:481 (NYSL)

dilligence, And as yo^{u} shall see cause where yo^{u} fynde any difficulty in ascertaining y^{e} old or laying out y^{e} new bounds, yo^{u} may call before yo^{u} any person or persons to receiue information from them touching y^{e} same, & for y^{e} clearing of y^{e} truth administer an Oath unto them or any of them (y^{e} w^{ch} oath yo^{u} are hereby empowred to giue) And whatsoeuer yo^{u} or so many of yo^{u} as shall make a *Quorum*, shall lawfully Acte or doe in prosecution of this my speciall Comission this shall be to yo^{u} & euery of you a sufficient warrant Given und^{r} my hand & sealed wth y^{e} Seale of y^{e} Province at ffort James in New Yorke this 17th day of March in y^{e} 22th yeare of his Ma^{ties} Raigne Annoq^{3} Domini 1669.

1669/70 Mar. 17

[Francis Lovelace.]

Col. MSS. 22:99 (NYSL)

Instructions for Captain Dudley Lovelace, M^{r} Jaques Curtilleau & the rest of y^{e} Co$\tilde{m}^{ners}$ for the Affaires at Esopus and the New Villages adjacent.—

1669/70 Mar. 24

Inprimis y^{t} the Precincts of every Towne be justly Stated, according to their severall Patents, and that the particular Lotts be laid out as the ground falls out, onely in case a larger proportion of vile Land or Swamps shall happen to one Mans Share, That then it be in the Breast of the Co$\tilde{m}^{nrs}$ to make some Addition of good Land over & above his allowance specifyed in his Ground-Briefe, otherwise each man must be contented with his Lott as it falls out.

2. That after y^{e} exact Bounds of Kingston is laid out, that there is to begin y^{e} Boundaryes of Hurley, and where that terminates, Marbleton is to begin, & soe y^{e} Lymitts of that to be sett out as farr as that extends towards the Indyans, w^{ch} beare as I suppose, South.—

3. That noe persons have noe more Land laid out but what is comprized in their Patents, and the Souldiers their Proportion. Col. MSS. 22:99 (NYSL)

4. For the Washmakers Land I shall referr you to y^e^ particular Instructions of his Royall Highnes wherein you are to use M^r^ Styvesant w^th^ all the ffavour, soe that it prejudice not y^e^ Townes. 1669/70 Mar. 24

5. That M^rs^ Broadhead be accomodated at Marbleton and have the first choice of her Lott.

6. That y^e^ Land that belongs to M^r^ Varlett be Surveyd, & noe more allowed but what is comprisd in his Pattent.

7. The like for Thomas Hall, who under the p^r^tence of 150 Margen layes Claime to about 300, but if the occasion of that Patent were throughly Inspected, it would appeare hee has little or noe pretentions to it at all.

8. There is a Tract of Land by y^e^ Cale Berge which I purpose to improove for a ffeeding ground, which I would have you to survey, & give mee an Acco^t^ of it, it is called the Butter ffield. — M^r^ Pawling will direct you.

9. That such strict Rules be left to y^e^ Planters to finish their severall Lotts, that whosoever compleats not the ffence of his Lott, & improves the Land, shall make a forfeiture of it, if it be not Inclosed within one yeare.

10. That you review all y^e^ Instructions sent to the Commissioners for the regulateing the Affaires the last yeare, & to give mee an Acco^t^ where the non performance lyes.

11. That all be compelld to settle in Townes, except one I have given Lycense to, who in regard hee lives between Hurley and Marbleton may be of convenience to Travellers, and make a Nearer Correspondence between the two Towns.

12. That in regard many occurrences may arrise, w^ch^ will be impossible for mee to foresee, here therefore you are at Liberty to take any thing into debate that may conduce

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to advantage of ye Publiq̃ though not expressed in these particular Instructions according to your prudence & Conscience; Nevertheless soe that it be not obligatory, till it receive my approbation and Confirmation.

13. Lastly that haveing done yor utmost Endeavours for the regulateing and settling the Affaire at the Esopus, according to these & other Instructions deliverd you, and noe new matter ariseing worthy your Attendances that then you break off, and each Commissioner repaire to their severall other Employments, rendring mee a just Accot of all Transactions in the prosecution of this my Commission directed to you. Given under my Hand this 24th of March. 1669. Francis Lovelace

Col. MSS. 22:99 (NYSL)

1670 Mar. 30 to Apr. 11

Towne Hall at Kingston in Esopus

At a Speciall Court held there by vertue of a Commission from his Honour ye Governour for Setting out the Boundaryes of Kingston, Hurley & Marbleton; & for Regulateing the affaires of these places and ye parts adjacent — Die Mercurij vizt 30mo die Martij Anno Regni Caroli 2di Dei grã Angliæ, Scotiæ Franciæ, et Hiþniæ. Regis. Fidei Defensoris &c: xxijdo Annoq̃ Dñi 1670.—

There being present

Capt Dudley Lovelace Presidt
Capt Thom: Chambers
Capt Jaques Curtelliau
Mr William Beakman
Mr Christoph: Berrisford
Mr Henry Pawling —

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1670 Mar. 30 to Apr. 11

It is this day Ordered that ye Lands of Thom: Hall & Nicholas Valett conť about 44 Acres — 150 Rodd lyeing upon the first great piece of Land next Hurley is Elapsd & forfeited; by reason ye Patent for it was not renewd according to the Law in that behalfe provided. And that Mr Jaques Curteleau doe Survey the same, and as hee findes the Extent of it to make report thereof to the Governour.—

It is this day Orderd that Matthias Blanchan shall have in Liew of foure Acres of Meadow which hee setts over to the use of Marbleton, foure Acres of Wood Land elsewhere.

The like is orderd for all the rest who have subscribed to the Transport hereunto annexed: And that they choose out the said Wood Land which is to be in Liew of their other soe disposed, where they shall judge fitt. And they are to repaire to the Chiefe Officer of their Towne for a Confirmation thereof.

Coppy of the Transport of ye Inhabitants of Hurley.—

Wee the Inhabitts of ye Towne of Hurley in the Esopus whose Names are underwritten, doe remitt & Sett over unto his Honr Coll Franc: Lovelace the Governour the severall parts and parcells of Land contained in a Schedule annexed to dispose of it, for the better provision of Marbleton. And the Commissioners for ye Setting out ye Boundaryes and Lymitts of ye Townes aforesaid, are desired to take care that the severall parcells of Land soe given by us, may be disposed of, to the Pretenders & Inhabitants of Marbleton, there being not Land enough thereunto belonging to satisfy them according to the Grants given them by the Authority of the Governour.

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		Acres
Signed —	Thomas Delavall.....	[*blank*]
	Lambert Heybertsen.....	12
	Roeleff Swartwout.....	4
	Lewijs de Boijs.....	4
	John Joesten.....	8
	Cornelis Winecoop.....	10
	Matthias Blanchan.....	4
Copia vera	Garrett Fokar.....	6
Jo Clarke Cler: Cur:	Albert Heymens.....	8

Vpon the humble Request of M^r^ Cornelius Winecoop the Commissioners doe unanimously agree that the said Cornelius Winecoop shall have Liberty to lay his two parcells of Land scituate in Hurley into one ffarme, upon consideracõn that hee allowes and setts over ffive Morgan of Land to the assistance of Marbleton; hee likewise rendring up againe one of the Home-Lotts at Hurley to be disposed of as the Commissioners shall think fitt.

The Com̃^rs^ have granted the said Homelott to one ffrancois La Ceire of Hurley to build there in the place and stead of Cornelius Winecoop.

Ordered that Capt Jaques Curteleau be desired to begin to Morrow being the last of this instant March to survey the Land belonging to the Towne of Hurley at the North West Line which Terminates the Extent of Kingston; and soe onwards towards Marbleton soe farr as the Patents will reach, and to make report to the Commissioners what quantity of Land is therein contained, at their next Meetting.

Capt Jaques Curteleau was this day sworn Surveyour in open Court.

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Register.

Of all the Lands granted by y^e^ Authority of his R: H. lyeing within the Precincts of KINGSTON.

	Acres.	Rod
Rouloff Swartwout	4 =	560
Evert Pells	180 =	...
Widdow Jacob Hop	85 =	122
Wallrave de Mount	8 =	
Edward Whittacre	56 =	
Edward Whittacre / Thomas Matthews	24 =	
Hendrick Joakims	32 =	
Jacob Hopp	72 =	
Heere Petrus Steyvesant	92 =	
M^r^ Jeronomyas Ebbings	1000 =	
Capt Thomas Chambers	10 =	390
More in y^e^ same Patent	34 =	82
Capt Thom: Chambers	6 =	180
Capt Thom: Chambers	9 =	
Capt Tho: Chambers	10 =	230
Capt Tho: Chambers	74 =	451
Capt Tho: Chambers	52 =	30
More purchased	24 =	80
Jan Barents Kunst now of Hurly	24 =	460

Register

Of the Patents granted to the Inhabitants of the Towne of HVRLEY

	Acres.	Rod
Co[r]nelius Winecoop	24 =	450
Cornelius Winecoop more	48 =	580

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	Acres.	Rod
Thomas Hall	10 =	500
Arian Hybertsen	25 =	450
Arian Hybertsen more	17 =	400
Capt Delavall by Transport from Gosen Garetson	18 =	250
Capt Delavall more from y^e^ same Man	48 =	460
Philip Pieters Schijleen[1]	16 =	250
More the same Man	50 =	440
Albert Heymensen	10 =	500
Lewis de Boys	24 =	450
Lewis de Boys more	16 =	408
Matthias Blanchan	16 =	248
More	24 =	450
Antho: Crippell	16 =	350
Volcaert Jansen	18 =	250
More	40 =	460

Vltimo Martij.

The Presid^t^ employ^d^ the Surveyo^r^, & all other persons concerned to measure the first Great piece of Land next Hurley containing by Estimation..... 300 = 000:

Primo Aprilis.

They also surveyd y^e^ 2^d^ piece, con^t^..... 420 = 000:

The Surveyour als[o] makes Report that the Wash-makers Land containes.. 148 = 000:

[1] Schuyler.

Easter Eve —

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1670 Mar. 30 to Apr. 11

Whereas John Joesten of Marbleton Husbandman hath putt in his Clayme or Pretence to two parcells of Land containing fourty foure Acres & 150 Rod, by vertue of a Bill of Sale formerly granted to him from Thom: Hall and Nicholas Valett deceased, whose Patent could not be produc'd by reason 'twas then (as hee alledged) in y^e^ Office of Records at New Yorke; The Com̃^ners^ have therefore upon serious & mature deliberation thought fitt to lay out the quantity of Land aforesaid upon the second great piece adjoyning to y^e^ Bounds of Hurley; And y^t^ M^r^ Jaques Curteleau doe make Report thereof to his Hono^r^ the Governour, that upon sight of his Patent, hee may possess & Enjoy the said parcells of Land accordingly.

Orderd y^t^ y^e^ Bounds between Kingston & Hurley Eastward doe beginne at y^e^ ffoot of the Hills upon y^e^ Easterly side of Premakers Land, & then running from the Hills along the great Creek to the East end of the Washmakers Land directly to y^e^ Woods, & then with a North West Line thorow the Woods to a certaine Creek commonly calld & known by y^e^ name of the Redoubt Creek or Kill.

Orderd y^t^ y^e^ Bounds between Hurley and Marbleton do begin at the ffoott of the Hills all along the great Creek between the first and second piece of Land. Hurley Includeing the first; Marbleton the second. And then with a North-West Line from the nearest part of that Creek to y^e^ place of Rendevouz, cleare thorow y^e^ Woods to the Redoubt Creek or Kill as in the other Boundary.

In persuance of an Order made y^e^ 30^th^ of March last past, Capt Jaques Corteleau doth report to the Com^rs^ that hee hath surveyed not only all y^e^ Lands given by Patent, but also those promised to y^e^ Souldiery; And findeing y^e^ quantity thereof to fall short of expectation.

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To the end therefore that ye Townes of Hurley & Marbleton may be supplyed with good & valluable Land to give each Man content as near as may be; The Comrs have thought fit to Sett over, and by this Speciall Order have sett over soe much of the Washmakers Land to the Inhabitants of Hurley, as by the Survey doth appeare to fall short in that Precinct.

Vpon a Motion made by Capt Thom: Chambers & seconded by Mr Henry Pawling; It is this day orderd that the Washmakers Land be divided into two equall parts, The one moiety to be recommended to his Honr, to be Granted to Mr Petrus Styvesant in persuance of his R Hs his Directions; & fourty Acres of the other Moiety to Captn Thomas Delavall towards the satisfaction of his Patent, hee being excluded the second piece; The Overplus containing 34 Acres is hereby more especially recommended to be disposed of, to his Brother Capt Dudley Lovelace in compensation of the great care & paines hee hath taken in laying out the Lands, and settling the Affaires of these parts to the Generall Content & satisfaction of all partyes concernd herein.

This day ye Presidt gave Ordr to ye Minr or ffore-Leser to pray publiquely the day following (being Easter day) and soe from time to time hereafter for the Kg, Queen his R. Hs ye D: Yorke, & all ye Royll ffamily, wch was obeyd accordingly.

Munday. April: 4th;

The Comnrs fell into debate about settling ye Militia, but findeing noe Commission Officers already establisht Thought good in obedience to his R: Hs Lawes; & the Governors Instructions, to Nominate Mr Henry Pawling

Capt, Mr Christopher Beresford Lievtent, John Biggs Ensigne to be Officers for the time being, and to raise and exercise, the Inhabitants of Hurley & Marbleton according to the Discipline of warr; Whereupon Proclamacon was made by Beat of Drum according to the Warrant underwritten

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Your are upon sight hereof to give notice to all the Inhabitants of Hurley and Marbleton, and also all the Pretenders to the Land now to be allotted and laid out for them, that they appeare in Armes at the Rendezvouze appointed the last yeare; and that you cause Samueil Olliver Sergt or Albert Heymens or either of them to read the Summons herewith sent you by beat of Drum publiqly in the Towne of Kingston, and afterwards to affix the same upon the Doore of the Towne Hall. And for soe doeing this shall be your sufficient Warrant. Given under my Hand at Fox-Hall this fourth of Aprill 1670.

Signed. Dudley Lovelace Presidt.

To Ensigne Biggs —

Proclamacon was made accordingly by Beat of Drum & the Souldiers Lysted.

The Names of ye Officers & Souldiers appointed to be present at the Rendevouz at Marbleton, To morrow ye 5th of Aprill 1670. — as followeth. vizt

Officers	
Hen: Pawling . . . . . Captn	Henry Crump
Christo: Berisford . . Lievtent	Fredr: Pieterson
John Biggs + ... Ensigne	Cornel: ffinehold
Sam: Olliver + ... Sergt	Gisbert Crump
Albert Heymensen . . Sergt	Garret Johnson
Richd Cage + ... Drummr	

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Marbleton Souldiers	Hurley Souldiers —
Thomas Quynell + —	Paulus Paulenson
Willm: Fisher +	Jacob Johnson
John Hendrick +	Lewys De Boijs
Geor: Porter +	Araon Tunijs
Fredr: Hussey +	Antho: Crippell
Joh: Pound	Lambert Hyberts
Edw: Whittacre	Wardenr Hornbeck
Thom: Matthews	Garrett Fokar
George Hall	Garrett Corneliuson
Antho: Cooke	ffrancois Le Shiere
Antho: Addyson +	John Albertsen
Evert Price +	Arian Albertsen
Thom: Elgar	Jacob Carle
Edwar: ffrench	Robert Goldsberry
Wm: Horton +	John Dihoth
Robt: Bickerstaffe	Arian ffrancon
Robt: Peacock +	Allard Rose
John Reynolds +	Arian Rose
John Joesten	John Rose
Joesten	Pieter the Negroe
Jacob de Wael.	Matthias Blanchan.

In all — 54.

Tuesday Aprill 5th 1670.

This day Capt Pawlings ffoot Company appeared at the Rendevouze, where they were musterd, & exercisd in their Armes. The President also caused all the Laws relateing to Military Affaires to be read before them; and then Marched them with fflying Colours to the Towne of Hurley, and there dismissd them; The Colours were Lodgd with a Guard at the Towne Hall in Kingston; Where the Souldiers were Commanded to appeare next day in Court to draw their Lotts.

Wednesday Apr: 6th

Col. MSS. 22: 99 (NYSL)

1670 Mar. 30 to Apr. 11

The Comnrs this day took care for the publishing of the Orders for the Boundaryes of all the Three Townes Kingston, Hurley & Marbleton, causing the same to be ffixt upon the Towne Hall of Kingston to publiqꝫ view; And that noe Man might plead ignorance of the same, the said Orders were also published and affixed in the Dutch Language by Order of the President: The which were likewise recorded in the Dutch Register.

This day also ye Comnrs thought fitt upon ye Debate of Mrs Broadheads Land to order that shee according to his Honors Instructions should have the first choice of her two Lotts; whereupon shee pitched upon the seaventh & eighth parts, upon the first peice of Land belonging to Marbleton.

The Commissioners doe order that Mr Pawling & Mr Beresford shall have three Lotts out of the Land belonging to Marbleton, to be divided this day by the Commissionrs aforesaid by vertue of the Authority granted them by his Honour the Governour.

Orderd that for the more just and impartiall distribution of the Souldiers respective parcells of Land, whereby there might be noe murmuring or cavelling on any side, They should submitt to draw Lotts for ye same: And the Commissioners to that End appointed that the next Childe (or that which was nearest at hand) should draw the Lotts & Numbers out of two Hatts, and as they are drawn to deliver each Lott & Number to ye President to open, & publiqꝫly to read the same, and Register it in the Journall.

The first Lott was that John Hendrick, Richard Cage, & Thomas Quynell should have each 10 Acres of Land upon the first piece of Ground belonging to Marbleton, wch was forthwith Orderd them by ye Commissioners. No: 4.

Col. MSS. 22:99 (NYSL)

1670 Mar. 30 to Apr. 11

The like Order for — Porter, Hussey, Addyson } N° 10.

The like Order for — Horton, Elgar, Olliver } N°. 5

The like Ordr for — Peacock, Price, Reynolds } N°. 6

The like Ordr for — Biggs, Clinton, ffisher } N°. 9

The Court adjourns till 2 of Clock in ye Afternoon.

A Paper Delivered in to ye President by . . . . . tending to Sedition & Mutiny; which was torne as a scandalous Libell repugnant to the Lawes of this Governmt, and the Authority thereof.

The Comrs proceeded to draw ye rest of the Lotts (14) for divideing ye 2d piece of Land belonging to Marbleton amongst the Souldiers by the same Rules of proceeding as in the Morning.

This being done 'twas Orderd that (according to the Chance of the Lotts) Corporall Biggs, Wm ffisher, & Clinton Maund should have 20 Acres a piece on the 3d Styck. Nº 15. 16.

The like Ordr for Jo: Hendrick, Cage & Quynell. Nº 19. 20.

The like Ordr for Elgar, Olliver, Horton . . . . . Nº 11. 12.

The like Ordr for Hussey, Addyson, Porter . . . . Nº 17. 18.

The like Ordr for Peacock, Price, Reynolds. . . . . Nº 13. 14.

This day upon ye humble Request of Robt Bickerstaffe, setting forth severall Reasons thereunto moveing him, to yield up his Right, Title & Interest of all the Land allotted

Col. MSS. 22:99 (NYSL)

1670 Mar. 30 to Apr. 11

him within the precincts of Marbleton, The Court doth Order that Clinton Maund haveing formerly had a Promise from his Honour the Governour be Inserted in the Roome of Robert Bickerstaffe aforesaid, and receive, possess & Enjoy the same parcell or parcells of Land if his Hono^r the Governour think fitt to confirme the same.

Also upon y^e Request of John Pound, setting forth severall reasons thereunto moveing him to yield up his Right, Title & Interest of all the Land allotted him within the precincts of Marbleton, the Court doth order that W̃m that Willm [*sic*] ffisher be Inserted in the Roome of y^e said John Pound, & receive, possess, and Enjoy the said parcell or parcells of Land to the use of him and his Heyres forever; If his Hon^r the Governour shall think fitt to confirme the same.

Ordered by y^e Court that y^e Land upon y^e first & second pieces belonging to Marbleton thus divided & drawn by Lott as aforesaid for the use of the Souldiers be forthwith recommended to the Governour for his allowance & confirmac̃on And that his Hono^r be supplicated in their Name to settle y^e same by Patent to them & either of them, their Heyres & Assignes forever: And that his Hono^r would be pleasd to send them halfe a yeares provision (now due to them as they alledge) and their Discharges (as they were promised by the first convenient Opportunity.

Joest Arian haveing this day given to Gisbert Crump his Home Lott lyeing at Marbleton, the Court has unanimously orderd and Granted that the said Joest Arian be Releasd from that Towne, seeing hee has gott this Gisbert aforesaid to supply his place.

Thursday Aprill. 7^th

This day M^r Christopher Beresford was sworne chief Magistrate of Hurley & Marbleton.

Col. MSS. 22:99 (NYSL) Also Mr John Biggs was then sworne Overseer of Marbleton.

1670 Mar. 30 to Apr. 11 Ordered that Mr Christopher Beresford chiefe Mağrate, John Biggs, Fredrick Hussey, Lewijs de Boys, & Albert Heymens Overseers for the Townes of Marbleton & Hurley or any three of them are hereby Empowered & Enjoyned to settle a due way of ffences (improoving & preserving such Common ffields and the ffruits of them) as lye within the precincts of the Townes respectively where they dwell, and the said Chiefe Magistrate & Overseers shall from yeare to yeare appoint one or two of the Planters for all or each Common ffield belonging to the Townes where they dwell, to view ye Coñon ffences within their Trust; & to take notice of the defect thereof, and forthwith to acquaint the Owners with the same; And if the Owners or Occupyors doe not make or repaire ye Common ffences proportionably to the quantity of land allotted them, before the first of May next, & to measure the said ffence within six days after the Date hereof, That then upon report of ye Viewer or Viewers soe chosen, the sd Viewr or Viewrs shall renew them if they think fitt, & have double recompense for the same to be paid according to the known Lawes of this Governmt in that Case provided.

Orderd that Capt Henry Pawling be appointed Viewer for the measuring, makeing & repaireing all Common ffences within the precincts of Hurley and Marbleton, and that Albert Heymensen of Hurley, & Fredrick Hussey of Marbleton be his Assistants for the measuring of it, and to Attend the said Service within six dayes after Notice, upon the penalty of twenty shillings.

Orderd that Capt Pawling be appointed also Viewer for the measuring and Laying out of the Home-Lotts and Streets of Hurley & Marbleton exactly and regularly according to the Draught or Plott of the said Townes herewith given him.

Col. MSS. 22:99 (NYSL)

1670 Mar. 30 to Apr. 11

Whereas severall parcells of Land are broken up & manurd in the Bounds of Hurley & Marbleton, before the Lotts were drawn & the Land apportioned; It is orderd that if any persons Lott falls in the place where another person has already plowed or manured as aforesaid, That then the said present Possessor (by Lott) shall break up, manure, & bring into soe good Tillage the like quantity of Land for that person who soe plowd or broke up the Lott as aforesaid, upon paine of forfeiture of his Land and Patent.

Upon the Speciall Instance and Request of the Inhabit^{ts} of Marbleton setting forth y^{e} great necessity of erecting a Bridge at Marbleton to pass over to the certaine third piece of Land called y^{e} 3^{d} Styck: It is this day ordered that Capt Pawling doe take care for the Erecting & building of a Bridge there, & to take to his assistance Capt Thomas Chambers Surveyo^{r} Gen^{ll} of his Ma^{ties} High-Wayes in these parts, & to make the Bridge with all convenient speed; The Labourers that are employd therein to be duely paid out of The Generall Rate assessed or to be assessed upon all the Inhabitants of Marbleton for makeing or Building the Bridge aforesaid.

The Names of the Persons that this day in open Court surrendered up their severall parcells of Land allotted them in Marbleton, for the good of their Fellow-Souldiers.

Anthony Cooke
Edward French
Thomas Matthews
Edward Whittacre
George Hall
Robert Bickerstaffe.

Copia vera
Jo Clarke Cler. Cur.

Col. MSS. 22 : 99 (NYSL)

1670 Mar. 30 to Apr. 11

These Men did then Petition to y^e^ Com̃^rs^ that (since they had thus given up their Land to the Enlargm^t^ of their ffellow Souldiers proportions) They might be ffreed from Marbleton, as also that they might have their halfe yeares provision sent them down, with their Discharges from his Hono^r^ the Governour. The Grant of w^ch^ Requests falling not properly under the power of the Com̃^rs^ the Presid^t^ thought fitt to recommend the same to his Hono^r^ y^e^ Governour for a Resolve.

Friday Aprill 8^th^

Vpon the request of Tijerck Clausen de Wijt (producing a Grant from under the Hand of his Hono^r^) the Court doth Order that hee shall have Liberty to Build a House, Barne & Stable between Kingston & Hurley upon his Land (containing sixten Acres) according to his Grant, And that hee begin his Building within fourteen dayes after the Date hereof.

The Commission^rs^ doe also agree that all Persons whatsoever in the precincts of Kingston, Hurley, and Marbleton shall hold and Enjoy all Lands and Inheritances granted them by Patent or Lott, paying in Corne Two shillings six pence Quitt Rent annually for every hundred Acres to his Royall Highnes according to Law.

Vpon the humble Request and Petition of Robert Goldsberry tis this day ordered that the Peticoner be recommended to his Hono^r^ y^e^ Governo^r^ for a Patent for eight Acres of Land lyeing in the Mid-way between Hurley & Marbleton, according to an Order heretofore made, beareing Date the one and twentyeth of Septem: 1669.

Vpon Notice given that Jacob [*blank*] refused to send his Boat and Servant to attend his Ma^ties^ Service, the Presid^t^ Signed a Warrant to Impresse the same according to Law Which was forthwith obeyd accordingly.

Orderd that Jon Joesten and his Son shall be recommended to the Governour for ye Grant of 2 Lotts of Land lyeing upon the 3d great Styck — No 23. 24. Col. MSS. 22:99 (NYSL)

Report given in touching the Excise at Hurley by Mr Berrisford. 1670 Mar. 30 to Apr. 11

Vpon Tappers Excise, (vizt from the first of Janry to this day) at 14 Guildrs the Ankor 3 Ankors..... 42 : 00

Marbleton..... 00 : 00

Report given by Mr Beckman of the Excise at Kingston extracted out of his booke.

Aug: 10.

1669		Guildrs Sti.
Inprimis	Given in by Hen: Pawling 5 Ankrs Rum, at 14 guildrs ℔ Ankor.....	70 =
Sept: 11.	By Matthias Blanchan. 1 Ankr Wine..	14 =
16:	Mrs An: Broadhead... 2 Ank: Rum..	28 =
Oct: 25.	Mr Wm Beckman.... 2 Ank: Brandy.	28 =
Nov: 6.	Mr Beckman ... 1 Ank: French wine.	8 =
Nov: 11.	Mr Mat: Blanchan.... 1 Ank: Wine.	14 =
13.	Mr Geor: Hall..... 1 Ank: Brandy.	14 =
22.	Rouloff Swartwout.... 1 Ank ½ Wine.	21 =
Ditto.	Rouloff Swartwout.... 1 Tun Beere..	8 =
Decem: 2d	ye sd Swartwout..... 1 Ank: Wine.	14 =
Decem: 8.	ye sd Swartwood..... 1 Ank: Wine.	14 =
Decem: 11.	Mr Matt Blanchan.. 2 Ank: Wine.	28 =
11.	Rouloff Swartwood.. 7 ffatts ½ Beere.	28 =
15.	The said Swartwood. 1 Ank: Wine..	14 =
23.	The said Swartwood. ½ Ank: Wine..	7 =
24.	Mr Mat. Blanchan.. 1 Ank: Wine.	14 =
31.	Rouloff Swartwood.. 1 Ank: ½ Wine.	21 =
Janry 8.	The sd Swartwood.. 1 Ank: Wine..	14 =
20.	Matth: Blanchan... 1 Ank: Wine..	14 =

Col. MSS. 22:99 (NYSL)

[Aug: 10. 1669]

[Guild^rs Sti.]

1670 Mar. 30 to Apr. 11

[Jan^ry]	22.	The said Swartwood 1 Ank: Wine..	14 =
Feb^ry	12.	Rowloff Swartwood.. 2 Ank: Wine & 1 Tun Beer	36 =
	15.	Matt: Blanchan.... 7 Ank: Wine..	98 =
March	5.	Rouloff Swartwood. 1 Ank: Wine.	14 =
	18.	Walraven de Mount. 2 Ank ½ Brandy	35 =
			570

Guild^rs

Transported from y^e other side.....			570
	21.	Ditto. John Poppen... 1 Ank^r Brandy.	14
Ditto.		Matth: Blanchan.. 7 Ank: Wine..	98
		In Toto	682

Noe other publiq̃ Debts Levyed since the Commission^rs were here last.

Fredrick Hussey was this day sworne Overseer for the Towne of Marbleton & the Precincts thereof.

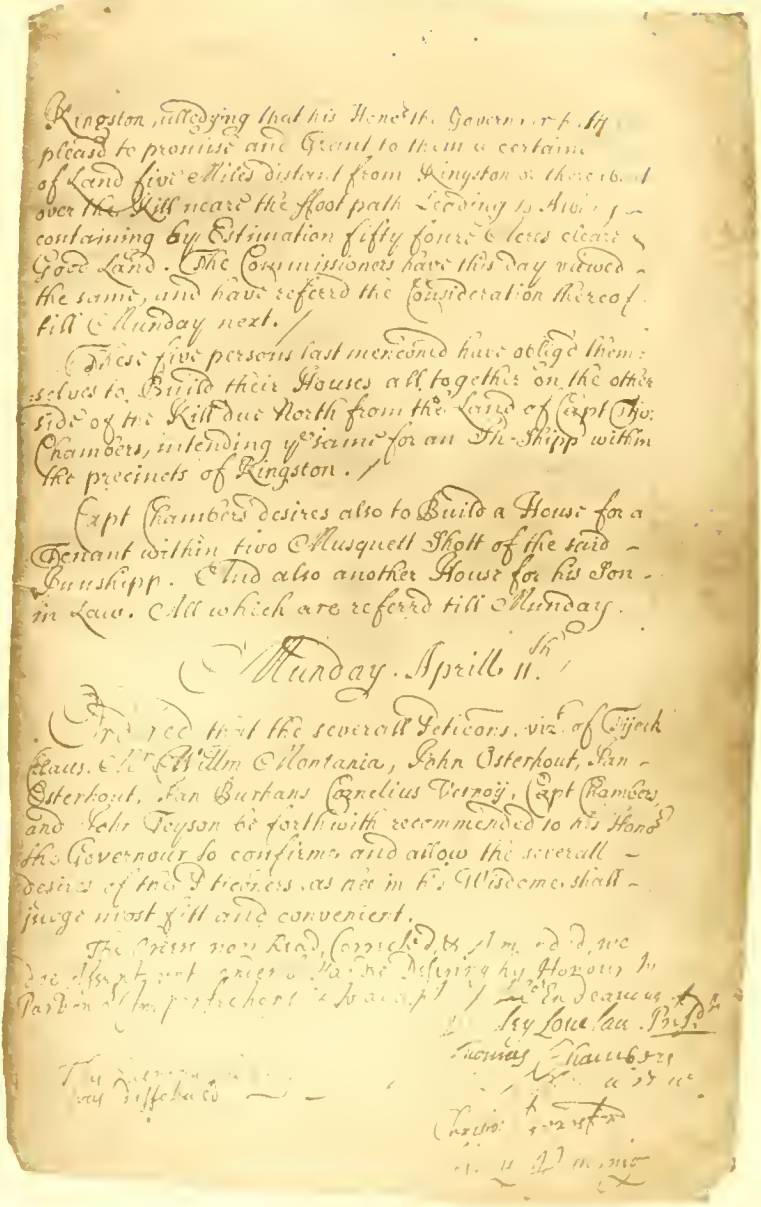
Lewys de Boys was also this day sworn Overseer for the Towne of Hurley and the Precincts thereof.

Albert Heymens was also this day sworne the other Overseer of Hurley aforesaid.

Saturday. 9^th Aprill.—

Vpon Reading the Peticõns of Tierck Claus de Wijt, & M^r W^m Montania setting forth that his Hono^r the Governour hath given them a Grant for the Setting up of a Saw Mill

Opposite p. 303.



Kingston, alledging that his Honr the Governr & [illegible]
please to promise and Grant to them a certaine
of Land five miles distant from Kingston & three miles
over the Kill neare the Hoost path Leading to Ath[illegible]
containing by Estimation fifty foure & lees cleare
Good Land. The Comissioners have this day viewed
the same, and have referd the Consideration thereof
till Munday next.

These five persons last mencond have obligd themselves to Build their Houses all togethr on the other side of the Kill due North from the Land of Capt Tho: Chambers, intending y^e same for an Id-Shipp within the precincts of Kingston.

Capt Chambrs desires also to Build a House for a Tenant within two Musquett Shott of the said Yardshipp. & Id also another House for his Son in Law. All which are referrd till Munday.

Munday. Aprill 11th

Ordered that the severall Petitions, viz. of Tjerck Claus. & Wm Montanie, John Osterhout, Jan Osterhout, Jan Burhans Cornelius Vernoy, Capt Chambrs and Jelle Joyson be forthwith recommended to his Hond the Governour to confirme and allow the severall desires of the Petitioners as nee in his Wisedome shall judge most fitt and convenient.

The Draw now Read, Corrected & Amended, we
doe Assent yt [illegible]
Sam Wisselius

Thomas Chambers

LAST PAGE OF PROCEEDINGS OF THE COURT AT ESOPUS (KINGSTON), WITH SIGNATURES, 1670.

(Reduced from 12½ by 8 inches.)

for the publiq̃ Benefitt, together humbly requesting also that y^e^ Com^rs^ would be pleas'd to recommend their good Intentions to his Honour for the speedy Erecting the said Saw-Mill some five Miles North from the Towne of Kingston; and likewise imploring the Grant of a certaine piece of Land scituate and lyeing a mile further (called Dead Mens Bones) upon a North Line Easterly containing about seaventy Acres for the sustentation of themselves and their Cattle, being soe remote from the Town of Kingston; The Commission^rs^ have viewd the same, & referrd the Debate thereof till Munday next. Col. MSS. 22:99 (NYSL) 1670 Mar. 30 to Apr. 11

Vpon reading y^e^ Petic̃on of John Osterhout, Jan Burhans, & Cornelius Vernoij Husbandmen of y^e^ Towne of Kingston, alledging that his Hono^r^ the Governour hath been pleasd to promise and Grant to them a certaine Neck of Land five Miles distant from Kingston or thereabouts over the Kill neare the ffoot path Leading to Albany containing by Estimation fifty foure Acres cleare & Good Land. The Commissioners have this day viewed the same, and have referrd the Consideration thereof till Munday next.

These five persons last menc̃oned have oblig'd themselves to Build their Houses all together on the other side of the Kill due North from the Land of Capt. Tho: Chambers, intending y^e^ same for an In-Shipp within the precincts of Kingston.

Capt Chambers desires also to Build a House for a Tenant within two Musquett Shott of the said Innshipp. And also another House for his Son in Law. All which are referrd till Munday.

Munday. Aprill 11^th^

Ordered that the severall Petic̃ons, viz^t^ of Tijerk Claus, M^r^ Wiłłm Montania, John Osterhout, Jan Osterhout, Jan

Col. MSS. 22:99 (NYSL)

1670 Mar. 30 to Apr. 11

Burhans, Cornelius Vernoij, Capt Chambers and John Teyson be forthwith recommended to his Hono[r] the Governour to confirme and allow the severall desires of the Peticoners, as hee in his Wisdome shall judge most fitt and convenient.

The Orders now Read, Corrected, & Amended, we doe Assent vnto vnder o[r] Hands, Desiring his Honour to Pardon o[r] Imperfections & to accept of o[r] Endeauours

Dudley Louelace. Pres[dt]
Thomas Chambers
[*Signed*] Will Beekman
This Euening the Court Christo: Beresford
was dissolued.— Henry Pawling

M[dm] that there appeared the last day of o[r] sitting (in Obedience to our Summance) before us one Calcop an Indyan Sachem, with his young Son and another young Indyan who have sett their hands to the Agreem[t] made between Richard Nicolls the late Governour, & the Sachems & people calld the Sopez Indyans, and doe own the same according to Right and Honesty. They were likewise admonishd to continue the same Custome yearely.

The next day Capt Chambers his Company appeared in Armes; They were commanded to remoove the East Gate of Kingston, to the middle of the Curtaine, soe that the Towne is now opened according to his Hon[rs] Instructions directed to y[e] Com[rs] the last Sessions.

The Company was musterd & exercis'd, & the Lawes relating to the military Affaires were read at the head of them in the Dutch Language. The Artillery was drawn into the ffield, & ffyred when the Presid[t] took Horse to depart for New Yorke.

The Governors Ordr for ye non Sale of ye Land at Esopus, wch was given to ye Souldiers there. C. A. 2:581 (NYSL)

Francis Louelace Esqr &c Whereas I am given to understand, That some of ye late Souldiers who haue had Lands alotted them at ye New Village at Esopus called Marbleton, & haue had discharges from their Military Imployment haue contrary to ye end & intent both of my selfe and Predecessor for ye wch ye Land there was Graunted to them prsumed to make sale of their Lotts, whereby ye said place in stead of being setled will inevitably come to Ruine & decaye unlesse some speedy Remedy be used, These are to publish & declare, That ye Sales wch already haue beene or shall wthin ye space of Three yeares be made by any perticuler person that hath land laid out for him at Marbleton for his service as a Souldier are & shall be voyde, & that what person soever shall prsume to sell or buy any such Land wthin ye space of Three yeares aforesaid wthout my perticuler Lycence & consent shall be lookt upon as a Contemner of this Declaration & shall be lyable to undergoe such fyne or censure as by my selfe & Councell shall be thought fitt to be imposed upon them, And I doe likewise hereby ordr that Publication hereof be forthwth made in each respectiue Towne at Esopus, & this Declaration read by beate of Drume & afterwards affixt in some Eminent place in every Towne that none may plead ignorance hereof. Given undr my hand & sealed wth ye Seale of the Province at ffort James in New Yorke this 23th Day of August in ye 22th yeare of his Maties Raigne Annoq Dñi 1670. 1670 Aug. 23

[20] [Francis Lovelace.]

Land Papers 1:36 (Sec. State)

[Location of Land Grants at Marbletown.]

An Accounp[t]

1670 Nov. 9

Off euery mans Lotts of Land, vpon the first and second Pieces of land belonging to Marbleton, and alsoe how itt Lyes bounded and abutting on[e] upon the other, taken out of thire pattents, Novemb[r] y[e] 9[th] 1670. Begining att the north-East of the first piece.

Inprimis

		Acers
1	M[r] Christopher Beresford on[e] lott and a halfe..	45 —
N° 2	Cap[t] Henry Pawling, on[e] lott and a halfe..	45 —
3		
N° 4	Rich: Cage: Tho: Quynell: John: Henry:	Vpon the Second piece the which is not diuided as yett.
N° 5	Sam: Oliuer. Tho: Elgar. Will : Horton	Sam: Oliuer, Tho: Elgar, Will: Horton } N° 11: 12
N° 6	Robt: Pecock: Auert: Price. John: Reynolds:	Rob[t]: Pecock: Auet: Price: John: Reynolds } N° 13: 14.
N° 7:8:	M[rs] Ann: Brodhead:	Ensigne: Biggs: Will: Fisher. Clinton Maund: } N° 15: 16.
N° 9	Ensigne Biggs: Will: Fisher. Clinton: Maund:	George Porter. Fred: Hussey: Antho: Addison } N° 17: 18.

George: Porter.
Nº 10 Fred: Hussey:
Antho: Addison.

---

fred. hussey is to be ye
first of those lalst [*sic*][1]
3: Nº 10 & soe in ye Rest

Rich: Cage.
Tho: Quynell. } Nº 19: 20.
John: Henry:

Land Papers 1:36 (Sec. State) 1670 Nov. 9

Fred: Petters: Nº 21.

Arte: Martison: Nº 22.

John: Josson
and his son: } Nº 23: 24.

Bounded and butting.
as specified in ye pattents.

on the first piece.
Rich: Cage: abutting: — N:E: vpon: Jo: Henry:
Tho: Quynell. — — — N:E: vpon: Rich Cage.
John: Henry: — — — N E: vpon: Christopr Beresford.
Sam: Oliuer. — — — N E: vpon: Tho: Elger.
Tho: Elgar. — — — N E: vpon: Will Horton.
Will: Horton. — — — N E: vpon: Tho: Quynell:
Robt: Pecock. — — — N E: vpon: Sam: Oliuer:
Auert Price. — — — N E: vpon: Robert: pecock.
John Reynolds. — — N E: vpon: Auert price.
Mrs Ann: Broadhead: — N E: vpon: John: Reynolds.
John: Biggs: — — — N E: vpon: Ann Brodheads.
Will: Fisher. — — — N E: Clinton Maund.
Clinton: Maund: — — N E: vpon: John Biggs.
Fred: Hussey: — — — N E: vpon: Geo: porter.
Geo: Porter: — — — N E: vpon: will fisher.
Antho: Addison: — — N E: vpon: ffred: Hussey:

[1]So in original for "last."

Land Papers 1:36 (Sec. State)

1670 Nov. 9

Boun[d]ed & butting: as specified in y^e^ Pattents.

On the second piece of land.

Sam: oliuer. a butting N E: vpon: Tho: Elgar.
Tho: Elgar. — — — N E: vpon: An: Addison.
Will: Horton. — — — N E: vpon: Sam: oliuer.
Robt: pecock — — N E: vpon: will horton.
Auert: price. — — — N E: vpon: Robt pecock.
John: Reynolds. — — N E: vpon Auert price.
John Biggs. — — — N E: vpon: John Reynolds.
will: ffisher. — — — N E: vpon: John: biggs.
Clin: Maund. — — — N E: vpon: will ffisher.
Fred: Hussey. — — — N E: vpon: Clin^t^ Maund.
[G]eo: porter. — — — N E: vpon: Antho: Addison.
Antho: Addison. — — N E: vpon: fred: hussey.
Rich: Cage. — — — N E: vpon: John: henry.
Tho: Quynell. — — N E: vpon: Rich: Cage.
John: Henry. — — — N E: vpon: Geo: porter.
ffred: Petters. — — — N E: vpon: Rich Cage.
Arte: Martison: — — N E: vpon: ffred: petters
John: Josson: — — — N E: vpon: Arte: martison.
his: sonn. — — — — N E: vpon: John Josson.

Finis.

Copia vera
Rich Cage secret^r^.

Original Note endorsed:

Esopus Lotts. M^r^ Berrisfords [la]nd abutts North East vpon Jan Joos[tens] land & South west vpon C. Pawli[ng]s.

Endorsed: To send it to George Hall.
For
His Hono^r^ the Gouern^r^
in New Yorke

The Governors Ltre to ye Comrs at Esopus. C. A. 2: 657 (NYSL)

Gent

This may Serue to recomend unto you ye bearer hereof Mr Isaack Greveratt, To whome he having an Inclination to remove wth his family to yor Towne, I haue given a Comon as a person of a fitt Capacity to succeed Mr Beeckman in ye place of Schout, & what othr publique Imploymt he hath there; He is at this tyme onely gone up to fitt himselfe wth an habitation, in wch I pray giue him yor best assistance, when he enters upon his Employmt It will be requisite all ye Publique Records should be deliuered into his Custodye, who is upon his Oath to Acte in his place honestly & Justly according to his best Capacitye This is all at prsent from 1670/1 Mar. 8

Yor Very Loving freind
[Francis Lovelace.]

ffort James in N. Y.
Mar. 8th 1670.

No. XI.

DELAWARE — LONG FINN INSURRECTION.

An Ordr for ye aprehending of ye Swede at Delaware. O. W. L. 2: 500 (NYSL)

Whereas I am giuen to understand that there is a certaine Swede at De la ware who giues himselfe out to be Sonne to Coninckmarke heretofore one of ye King of Swedens Genrll or Genrll Officers & goes up & downe from one place to another frequently raising speeches very seditious & false 1669 Aug. 2

O. W. L. 2:500 (NYSL)

tending to y^e^ disturbance of his Ma^ties^ peace & y^e^ Lawes of y^e^ Governm^t^ in such cases prouided To whom is associated one Henry Coleman one of y^e^ Fins & an Inhabitant at De la ware who hath left his habitation Cattle & Corne w^th^out any care taken for them to runne aft^r^ y^e^ oth^r^ person & it being suspected that y^e^ said Coleman being well verst in y^e^ Indian language amongst whome both he & t'other keep, may watch some oppertunity to do mischeife to his neighbours by killing their Cattle, if not worse; whereupon yo^u^ haue already according to yo^r^ duty sett forth yo^r^ warr^t^ to apprehend him but he cannot yett be met withall These p^r^sents are to order impower & appoint yo^u^ to sett forth a proclamation in my name that if y^e^ said Henry Coleman do not come in to yo^u^ & surrend^r^ himselfe up to answer to what shall be objected against him w^th^in y^e^ space of Fifteene dayes aft^r^ divulging y^e^ same that then yo^u^ cause all y^e^ Estate belonging to him w^th^in this Governm^t^ to be seized upon & secured to his Ma^ties^ use, of w^ch^ yo^u^ are to rend^r^ me an Account w^th^ y^e^ first oppertunity Given und^r^ my hand & seale at Fort James in New Yorke this 2^d^ of August 1669.

1669 Aug. 2

[Francis Lovelace.]

To y^e^ Officers at De la ware.

O. W. L. 2:503 (NYSL)

The Governo^rs^ Łre to Capt^n^ John Carr & y^e^ Schout & Comissaryes at New Castle upon De la ware.

1669 Sept. 15

Gentlemen.

I Rec^d^ yo^r^ Pacquett w^ch^ yo^u^ sent by Henry de Loper dated y^e^ 8^th^ of Septemb^r^ in w^ch^ were inclosed three other Copyes Two of them subscribed Coningsmark y^e^ other Armgart Prins as likewise y^e^ Deposic̃ons of seuerall persons concerning a lately insurection happened in yo^r^ partes occasioned by y^e^ Long Swede their pryme Incendiary all, w^ch^

being taken into a serious consideration I haue thought fitt w^th^ y^e^ Advice of my Councell to resolue & determyne as followeth, In y^e^ first place I uery well appro[u]e & applaud yo^r^ prudent & carefull management in Circumventing & securing y^e^ pryme Instigators of this Comotion togeth^r^ w^th^ y^e^ cheifest of his Complices. likewise (for yo^r^ future animation) that so good & seasonable a service both to his Royall Highn^ss^ & y^e^ security & tranquility of y^e^ Country, may not be buryed in Obliuion, I cannot but take notice of it & do retorne yo^u^ thankes w^th^all assuring yo^u^ to represent this Action to his Royall Highn^ss^ w^th^ such characters [as] [1] are justly due to so worthy an undertaking. O. W. L. 2: 503 (NYSL) 1669 Sept. 15

Next I heartily wish my selfe w^th^ yo^u^ to bring that Grand Imposter togeth^r^ w^th^ y^e^ cheife of his Pack to condigne punishm^t^, but y^e^ hourly expectation I am in of y^e^ Arrivall of some shipps from England by w^ch^ I look for seuerall Instructions w^ch^ will require a present dispatch, y^e^ whole frame of y^e^ Governm^t^ standing at this tyme still neither Mayo^r^ nor Aldermen elected The Grand Assizes like to bee prorogued all businesses wayting upon that breath that must animate this little body Politique of ours, So that what I do Recomend unto yo^u^ now must rath^r^ respect y^e^ Stopping of y^e^ spreading of y^e^ Contagion that it grow not furth^r^ then by any way of amputating or cutting of any member to make y^e^ Cure more perfect.

I would therefore haue yo^u^ to Continue y^e^ Long Swede in Custody & in Irons untill he can haue his Tryall w^ch^ shall be as speedy as my affaires can permitt, eith^r^ by my presence or some of y^e^ Councell sufficiently authorized to heare & determyn that affaire.

For those of y^e^ first magnitude Concerned w^th^ him yo^u^ may eith^r^ secure them by Imprisonem^t^ or by taking such

[1] In place of the omitted word, the original has " are " duplicated.

O. W. L. 2: 503 (NYSL)

Caution for them to Answer what shall be alleadged & proued against them.

1669 Sept. 15

For y^e^ rest of y^e^ poore deluded sort, I thinke y^e^ Advice of their owne Countrymen is not to be despised, who knowing their temper well, p^r^scribe a method for keeping them in ord^r^ w^ch^ is seuerity & laying such Taxes on them as may not giue them liberty to Entertaine any other thoughts but how to discharge them.

I thought that Jaff^e^ Papegay, Armgart Prins had beene so discreete not to haue intermedled in so unworthy a designe, for though what she hath Comitted was not of any dangerous Consequence yet it was a demonstration of their Inclynation & temper to aduance a strange power & a manifestation of her high Ingratitude for all those Indulgences & fauours she hath receiued from those in Authority over her.

I perceiue y^e^ Little Domine hath played y^e^ Trumpeter to this disord^r^, I referr y^e^ quality of his punishm^t^ to yo^r^ discretions.

I haue rec^d^ a Peticon from diuers of the Inhabitants at De la ware in y^e^ behalfe of those that Joyned w^th^ y^e^ Long Finne it came inclosed in M^r^ Cousturiers Letter but I shall take little notice of it since it came not by yo^r^ hands howeuer if they shall make any further a Publication to yo^u^ about it & yo^u^ send it to me w^th^ yo^r^ aduice thereupon I shall doe therein what shall be thought most fitting & conuenient I haue no more but to recomend y^e^ continuance of yo^r^ care of this & y^e^ rest of y^e^ publique affaires in yo^r^ ptes to yo^r^ prudence & discretion w^ch^ is uery much relyed upon by

Gent

Yo^r^ affeccionate Loving freind

[Francis Lovelace.]

Fort James in New
York this 15^th^ day of
September 1669.

To Capt^{n} Jn^{o} Carr & y^{e} Schout & Comissaryes at New Castle upon De la ware. O. W. L. 2:503 (NYSL)

1669 Sept. 15

I Doe thinke it would not be amisse if for punishm^{t} to y^{e} simpler sort of those who haue beene drawne into this Comotion yo^{u} injoyned them to labour sometymes in y^{e} reparation of y^{e} workes about y^{e} Fort, But for John Stalcop be sure he be secured in like manner as the Long Sweed, He Hauing beene I perceiue a Cheife ffomentor as well as an Acto^{r} in this by them Intended Tragedy, The mischeife whereof is like to fall upon their owne heads.

The Governo^{rs} Co$\tilde{m}$on for y^{e} Tryall of severall Persons at Delaware. C. A. 2:437 (NYSL)

1669 Nov. 22

Francis Lovelace Esq^{r} &c To all to whome theise p^{r}sents shall come sendeth Greeting

Whereas there hath lately hapned an Insurrection at Delaware by some evill mynded persons Enemyes to his Ma^{tie} & y^{e} Peace of this Governm^{t} w^{ch} might have proved of dangerous Consequence had not Ring leaders beene surprised & so prevented of their wicked designe by y^{e} vigilance & Care of y^{e} Officers there All w^{ch} having beene represented unto me I haue wth y^{e} advice of my Councell made some Resolu$\tilde{c}$ons thereupon y^{e} w^{ch} are speedily to be putt in Execution I haue therefore thought fitt to nominate constitute & appoint, & by theise p^{r}sents doe nominate Constitute & appoint yo^{u} [*One line left blank for the names*] to be Com^{rs} to give Ord^{r} & to take Care that The Acte of Councell be put in Execution accordingly, Giving yo^{u} or any five of yo^{u} of w^{ch} M^{r} Matthias Nicolls to be one & President power to call before yo^{u} any such person or persons

C. A. 2:437 (NYSL)

as are now in hold upon this Occasion & to pronounce sentence against them according to y^e^ directions herew^th^ given yo^u^ And alsoe that yo^u^ cause all others suspected to

1669 Nov. 22

be Guilty to be sum̃oned to make their appearance before yo^u^ & as their demeritts shall be that yo^u^ impose such mulct or fyne upon them or any of them for y^e^ use of his Ma^tie^ as shall seeme best to yo^r^ discretions, And if need be that yo^u^ Administer an Oath to any person, or persons for y^e^ better clearing of y^e^ Truth, y^e^ w^ch^ Oath yo^u^ are hereby Impowred to giue, And also that yo^u^ Comitt any refractory person or notorious offender to prison, or any other Release as yo^u^ shall see cause, of all w^ch^ yo^u^ are to rend^r^ me a due Account, & for w^tever yo^u^ shall Acte or doe in prosecution hereof this my present Comission shall be yo^r^ sufficient warrant & discharge, Given und^r^ my hand & sealed w^th^ y^e^ Seale of y^e^ Colony at ffort James in New Yorke this 22^th^ day of November in y^e^ 21^th^ yeare of his Ma^ties^ Raigne Annoq̃ Dñi 1669.

[Francis Lovelace.]

Col. MSS. 20:4 (NYSL)

The forme of holding the Co^rt^ at the Fort in Newcastle vpon Delaware River, for the Tryall of the Long Finne &c̃. about the late Insurrection. Decemb̃. y^e^ 6^th^ 1669.

1669 Dec. 6

Vpon the meeting of the Co^rt^ let Proclamac̃on bee made by saying O Yes, O Yes, O Yes Silence is commanded in the Co^rt^ whilst his Ma^ties^ Com̃issio^rs^ are sitting, vpon paine of Imprisonment.

Lett the Com̃ission bee read & the Com̃sio^rs^ called vpon afterwards; [if] any shall bee absent let their n[ames] bee Recorded

Then let the Proclamacon bee made again by O Yes, as before, after which say, All manner of Persons that have any thing to doe at this speciall Co^rt held by Comission from the Right Ho^ble Francis Lovelace Esq^r Governo^r Gen^ll vnder his Royall Highnesse the Duke [o]f [Yor]ke of all his Territories in America, draw neare & give yo^r attendance, & if any one have any Plaint to enter, or Suite to prosecute, let them come forth & they shall bee heard. Col. MSS. 20:4 (NYSL) 1669 Dec. 6

After this let a Jury of twelve good men bee empannelled,

Then let the Long Finne (Prisoner in the Fort) bee called for & brought to the Barr.

Vpon which the Jury is to bee called over & numbred one, two, &c & if the Prisoner have no Exception against either of them Let them bee sworn[e] as directed in the Booke of Lawes for Tryall of Criminalls, & bid to looke vpon the Prisoner at the Barre.

The forme of the Oath is as followeth

You doe sweare by the Everliving God that you will conscientiously try & deliver yo^r verdict betweene o^r Soveraigne Lord the King, & the Prisoner at the Barre according to Evidence & the lawes of this Countrey, So helpe you God & the Contents of this booke.

Then let the Prisoner bee againe called vpon & bid to hold vp his Right hand, viz^t John Binckson alias Marcus Coningsmarke, alias Coningsmarcus, alias Matheus Hincks How [swearest thou ?] [1]

Then proceed with the Indictment as followeth.

John Binckson, Thou standest here endicted by the name of John Binckson alias Coningsmarke, alias Coningsmarcus alias Matheus Hencks, alias XX, for that having not the feare of God before thine Eyes but being instigated by the devill, Vpon or about the 28^th day of August in y^e 21^th

[1] Original mutilated.

Col. MSS. 20: 4 (NYSL)

yeare of the Raigne of o^r soveraigne Lord Charles the 2^d by the Grace of God of England, Scotland ffrance & Ireland King Defend^r of the Faith &c̄ Annoq̄ Domini 1669. at Christina.

1669 Dec. 6

& at severall other times & places before, Thou didst most wickedly, traiterously feloniously & maliciously conspire and attempt to invade by force of Armes this Government setled vnder the allegiance & protection of his Ma^tie, & also didst most traiterously solicite & entice divers & threaten others of his Ma^ties good Subjects to betray their allegiance to his Ma^tie the King of England, persuading them to revolt & adhere to a forraigne Prince that is to say, to The King of Sweden, In prosecuc̄on whereof, thou didst appoint & cause to bee held many Riotous, Routous & Vnlawfull Assemblyes [again]st [th]e Peace of o^r S[overaig]ne Lord the King, & the Lawes of this Government in such cases provided.

John Binckson, &c. what hast thou to say for thyselfe, Art thou Guilty of the Felony & Treason layd to thy Charge or not Guilty?

If hee say not Guilty. Then aske him By whom wilt thou bee try'de, If hee say by God & his Countrey, say God send thee a good Deliverance.

Then call the wittnesses & let them bee sworne either to their Testim[onies] [as][1] already giuen in, or to what they will then declare vpon their Oathes.

Vpon which The Jury is to have their Charge giuen them, directing them to find the matter of Fact according to Evidence, & then let them bee called over as they goe out to consult vpon their Verdict in which they must all agree.

When the Jury returnes to deliver in their Verdict to the Co^rt, let them bee called over againe, & then ask't.

[1] Original mutilated.

Gent. Are you agreed vpon yo^r Verdict in this Case in difference betweene o^r soveraign Lord the King & the prisoner at the Barr. vpon their saying Yes, Aske who shall speake for you Then the [Jury] the Forem[an] f[or] [t]hem [shall give] in their Verdict the w^ch is to bee [recorded.][1] Then read the Verdict & say Gentlemen this is yo^r Verdict, vpon w^ch you are all agreed, vpon their saying yes Call that the Prisoner bee taken from the barre & secured. Col. MSS. 20:4 (NYSL) 1669 Dec. 6

Endorsed:

No 15
Forme of Tryall
Long Finne. 1669
Dec^r 6^th

A list of the inhabitants that was Confederets with the long ffin and had the marke and their ffines Col. MSS. 20:5 (NYSL)

	gilders			
John Stolcup	1500	Mons Powson	300	1669 December
Jens Vstas	0830	Henerick Anderson	200	
Henerick: Coalman	0930	Lawsa Eskelson	050	
Olla ffrancis	1500	Simon Johnson	100	
John Powles	0150	Erick Vrianson	200	
Andries Johnson	0050	Mathias Bartleson	100	
Hans Petterson	0100	Erike Matson	200	
Neals Nealson	0300	Lawsa Wolson	100	
Mathias Nealson	0100	Lawsa Corneleson	100	
Charles Johnson	0300	John Matson	150	

[1] Original mutilated.

Col. MSS. 20:5 (NYSL)

1669 December

	[gilders]		
Hans Wolason	0100	Evertt the ffin	300
Hans Hoofman	0300	Andries: Andrieson	050
John Henerics	0300	Paules Lawrson.	1[00]
Paules Lawrson	0100	Mathias Matson..	100
Olla Torsa	0100	Marcus Laurson..	050
Henerick Nealson	0100		
Laurans Carolus minister.	0600		2100
Margerett Matson widdow.	0100		
John Peterson	0100		
Bartle Parker	0100		
Samuell Peterson	0050		
	7710		

Endorsed:

A List of Delinque[nts]
with the Long ffin
Dec[r]. 1669.[1]

Col. MSS. 20:6 (NYSL)

A liste of the fines about the Rebellion of the Long Finne.

1669 December

	Guild[rs]	sew[t]
Evert Hendricksen	300	
Mat Bertelsen	100	
Simon Jansen	100	
Las Oleson	100	
Erick Ericksen	100	
Jan Matsẽ	150	
Samuell Pietersen	50	
Las Eskell	50	
Erick Matsen	200	
Bertle Hendricksen	100	
Hendrick Anderson	200	
		1450

[1] The date was inserted by Secretary Nicolls.

Col. MSS. 20: 6 (NYSL)

1669 December

	[Guild^{rs}	sew^{t}]
Mons Paulsen	300	
Las Cornelissen	150	
Andries Andriesen	50	
Paul Larsen	100	
Jan Stalcop	1500	
Olle Fransen	2000	
Dirck Jansen	100	
Hendrick Colman	930	
Matijs Matsen	100	
Hans Pietersen	100	
Paul Jansens Vrow	100	
		5430
Neils Nielsen	300	
Hendrick Nielsen	100	
Mat Nielsen	100	
Olle Oelsen	100	
Paul Larsen	100	
Carel Jansen	300	
Mons Jansen	100	
Carel Monsen	100	
Hans Hopman	300	
Juns Junstersen	1500	
		3000

	G:	Sew^{t}
Heer Lars	800	
Another Hans Pietersen	100	
Jan Paulsen	100	
Andries Junsen	100	
Jan Hendricksẽ of Marcus Kill	300	
Marcus	50	
	1450	

Col. MSS. 20:6 (NYSL)

1669 December

	[Guildrs	sewt]
Besides this sume every one or	3000	
the greatest pt paid to the	5430	
Stebo[1]—14 G. & some 28. G.	1450	
	11330	

Transcribed & Examined by
mee at Newcastle.
May 11th 1675.
Matthias Nicolls. Secr.

Endorsed:
List of the Fines
about the Long
Finne.
Decr 1669.

Col. MSS. 20:7 (NYSL)

[1669 Dec.]

Charges about the long ffin

To John Henery	864
Michaell Baroon	2454
Neals Matsa	0607
John Harmons	0235
Gisbert Dericks	1107
Barnard the Smith	0110
Albert Johnson	0115
Mathias Conradus	0200
Neals Lawsa	0100
Petter Alricks	0100
Mr Tom	0650
	6542

Endorsed:
A list of Charges
about the long ffin

[1] This was a messenger of the court.

[Prisoners deported at Newcastle.] Col. MSS. 20:8 (NYSL)

H[an]s Block	27	135	
	25	5	1669 Dec. 13
Jur[ie]n Janse	135	675	
	54		
Matijs Eschelsen	675	135	
		50	
Ha[ns] Pietersen		85	

Andres Matsen
More. 16.
The Domini[1]
Harmen Reyners
Neals Lawson &
3. more

Rec[d] 50 scheple of wheat
of C. Carre,[2] there is due — 85
scheple.
Dec[r] 13. 1669.

On reverse:

The 2 schippers
haue rec[d] on board with
each prisoner a bed, blancket
p[r] of bilboes & Lock.

[1] The reference is apparently to Laurans Carolus, the minister to the Swedes.

[2] Captain Carr

C. A. 2:464 (NYSL)

[Memorandum]

January 26th 1669.

1669/70 Jan. 26

This day ye Long ffinne called Marcus Jacobsen was by warrt put on board Mr Cosseaus Ship called ye Fort Albany to be Transported & Sould at ye Barbadoes according to ye Sentence of Court at Delaware for his attempting rebellion, He had beene a Prisoner in ye State house ever since ye 20th day of Decembr last.

C. A. 2:460 (NYSL)

An Ordr for ye Transportation of ye Long Finne to Barbadoes.

1669/70 Jan. 28

Whereas Marcus Jacobs̃ comonly called ye Long Finne, hauing for some great misdemeanor forfeited his liberty & life if ye strictnesse of ye Law had beene put in Execution but through ye Clemency & fauour of the Governor & Councell had sentence onely to receiue some Corporall punishmt & also to be transported & sould into some of ye Remoter Plantations from ye place where he committed ye Fact, These are to Impower you when you shall haue brought ye said Marcus Jacobs̃ als ye Long Finne to ye Barbadoes, That you cause him to be sould for a Servant to ye best advantage for ye space of Fower yeares or ye usuall tyme servants are there sould at, & that you make retorne of the produce to this Porte, deducting ye charges of his passage, & othr necessary Expences about him And for so doing this shall be yor warrt Given undr my hand at Fort James in New Yorke this 28th day of January 1669.

[Francis Lovelace.]

No. XII.

DELAWARE — RAPE BY AN INDIAN.

The Gouernors Łre to Captn Carre. C. A. 2: 425 (NYSL)

I haue recd yor Łre of ye 25th of September by Hendrick de Loper[1] wherein you giue me ye relation of a foule fact comitted by ye Indian upon ye body of Xpian Womans what you & ye rest of ye Comrs haue done in prosecution of him & sentencing him to death I doe very well approue of but I am informed he is since broken out of prison if so lett him be lookt after & ye Sachem undr whome he is to [*sic for* so] that he may be surrendred; & Justice Executed upon him As to ye long ffinne who attempted his Escape likewise lett him be kept safe a little longer untill I send some Comrs from hence to Examyne into ye whole matter wch shall be wthin a month but I would not haue ye ordinary people who he drew in be too much frighted, since I haue thought fitt to Excuse them by a peneary mulct to be imposed upon them as they shall appeare more or lesse Guilty This is all at prsent to recomend to yor being 1669 Oct. 19

Yor Loving freind

Fr: Louelace.

Fort James 19th Octobr 1669.

[1] For a note and references to Hendrick Droogestraet *alias* Hendrick de Loper, see p. 162, *supra*.

No. XIII.

DELAWARE — CASE OF WILLIAM DOUGLAS.

C. A. 2: 470 (NYSL)

[Memorandum]

Febr^y 25^th 1669.

1669/70 Feb. 25

This Day was Willm Douglas releast from out of y^e prison in y^e State house, where he had beene Comitted for misdemeanor at y^e Hoar-kill ever since y^e 20^th of Decemb· last, He was sent into y^e North, hauing giuen security by his bond not to retorne into this Governm^t

C. A. 2: 470 (NYSL)

The Governo^rs Ł^re to Delaware.

Loving Freinds

1669/70 Feb. 26

I haue beene Informed of y^e seuerall miscarriages of Willm Douglas in yo^r partes & of your care to prevent his doeing any further mischeife by carrying him a Prison^r to Delaware from thence he hath beene remitted hith^r where he hath continued a Prison^r untill yesterday, he is sent away to y^e Eastward w^th Caution not to retorne into this Governm^t or amongst yo^u, I do well approue of what yo^u did about him, If any such person shall hereaft^r p^rsume to disturbe yo^u or to breake his Ma^ties peace there, I haue sent a Comission Empowring some of yo^u to suppresse them & do recomend to yo^u to follow y^e directions sent yo^u therein & in my Letter w^ch is all at p^rsent from

Yo^r very Loving freind
[Francis Lovelace.]

Fort James in N. Yorke
26^th Febr^y 1669.

[Memorandum] C. A. 2: 471 (NYSL)

Febry 28th 1669.

There was a Comission & Lre of Instruction in Dutch und: ye Governors hand & seale this day sent to ye Hoare Kill by Peter Alricks Ketch for ye Persons hereund: menc̃oned 1669/70 Feb. 28

Hermans Fredericksen — to be Schout.

Sander Malsen
Otto Walgast
Willm Claesen } To be Comissaryes

They are to keep good Orders there for his Royll Highness, & to trye all matters of difference und: 10ll amongst themselues, for what shall be aboue they are to apply themselues to New Yorke, & so for all Cryminalls.

Warrt for ye clapping of Wm Douglas in Prison. 6. E. 4: 244 (NYSL)

These are in his Mã:ties name to require you to take into yor Custody ye Body of Wm Douglas brought hither a Prisoner from New Castle in Delaware in the Sloope of John Schouten, hee having been formerly banisht out of this Governmt for great Misdemeanours; & that you him safely keep in Custody without Bayle or Main-prize untill you shall receive farther Order concerning the same; And for soe doeing this shall bee yor Warrant. Given under my hand &c: this 16th day if Decembr 1672. 1672 Dec. 16

[Francis Lovelace.]

Mr Allard Anthony Sheriffe
of this City or his Deputy.

No. XIV.

NEWTOWN — CASE OF ABRAHAM FROST.

C. A. 2: 487 (NYSL)

An Ordr for suspending ye Execution agt ye Estate of Abraham ffrost.

1670 Apr. 1

Whereas Complaint hath beene made unto me by Abraham ffrost of New Towne who hath had Execution served upon his Estate for Two sumes of money ye one obteyned agt him by Judgment at ye suite of William Osburne & ye othr of John ffirman, ye wch he alleadges was done by misinformation of ye Corts & want of Evidence, wch he now hath & ye said ffrost declaring his poore Condition & ruin if he shall be forced to pay ye said sumes & offering good security to stand to ye Judgment of anothr Court I haue by & wth ye advice of my Councell thought fitt to ordr & declare & by theise prsents do ordr & declare, that ye Executions served do stand good, but sale of ye Estate or disposall of ye goods, is to be suspended upon his giving good security to ye high Sheriffe or his Deputye that noe parte of ye said Estate or Goods shall be Imbezel'd untill ye Petr hath had a Tryall at Law against ye said William Osborne & John ffirman wch is to be at the next Court of Sessions when if it shall appeare that they obteyned their Judgmt of Court & Execution thereupon by misinformation, Then ye said Abraham ffrost & his Estate shall be released from ye Executions, but if it shall happen to be otherwise all new as well as ye old charges are to be borne by ye said ffrost for ye wch ye security is to engage Giuen undr my hand this first day of Aprill 1670.

[Francis Lovelace.]

No. XV.

CONTROVERSY BETWEEN NICASIUS DE SILLE AND CATHARINA, HIS WIFE, ABOUT THEIR ESTATES.

An Ordr for Mr Steenwick Mayor to indeauor a Composure of the difference betweene Nicasius de Sille & his wife. C. A. 2:475 (NYSL)

Upon a Petition & request to me made by Nicasius de Sille that a certaine matter in difference betweene him & his wife concerning ye sale of a house or othr businesses relating to their Estate, may be referred to some indifferent persons as Comrs to Examyne into & adjudge ye case betweenes them I doe hereby recomend it to Mr Cornelijs Steenwick Mayor of this City to endeauour a Composure in wch if hee succeed not that he nominate & appoint foure or fiue good & discreet men of this place to be Comrs to heare & Examyne into what shall be alleadged on both partes & to giue their Judgmt & determynation thereupon of wch they are to rendr me an Account, Given undr my hand at ffort James in New Yorke this 8th day of March in ye 22th yeare of his Maties Raigne Annoqꝭ Domini 1669. [Francis Lovelace.] 1669/70 Mar. 8

An Ordr for Composing ye Difference between Nicasius de Sille & Katharina his wife. C. A. 2:488 (NYSL)

Whereas Complaint was made unto me of a certaine matter in difference betweene Nicasius de Sille & Katharina his wife, ye wch I thought good to referr ye hearing & Examination of, unto Mr Cornelijs Steenwick Mayor of this Citty 1670 Apr. 1

C. A. 2:488 (NYSL)

to endeavour a Composure in w^ch^ if he succeeded not to appoint some able & discreet persons to doe y^e^ same, The w^ch^ having beene done & a result of their opinion thereupon

1670 Apr. 1

retorned unto me und^r^ their hands, upon perusall thereof I haue thought fitt by & w^th^ y^e^ advice of my Councell to ord^r^ & appoint & by theise p^r^sents do ord^r^ & appoint, that y^e^ same Commission^rs^ nominated & appointed by M^r^ Mayo^r^ do w^th^in 15. days aft^r^ y^e^ date hereof take an Account of y^e^ Debts both of y^e^ husband & wife w^ch^ they are to Deliuer in upon their Oaths (w^ch^ Oath they are hereby Empowred to giue,) To y^e^ End a better Estimate may be made of y^e^ remayning parte of y^e^ Estate w^ch^ shall then be taken into Consideration how it shall be disposed of according to Equity & good Conscience Given und^r^ my hand at ffort James in New Yorke this 1^st^ day of Aprill 1670.

[Francis Lovelace.]

C. A. 2:511 (NYSL)

A Confirmac̃on of y^e^ Report & proceedings of y^e^ Com^rs^ in y^e^ Cause betweene Nicasius de Sille & his wife

1670 Apr. 21

Whereas upon my last Ord^r^ to M^r^ Cornelijs van Ruyven, M^r^ Oloffe Stevens van Cortlandt M^r^ Paulus Leendertsẽ, M^r^ Johannes van Brugh & M^r^ Johannes de Piester Commission^rs^ appointed to Examyne into y^e^ matters in difference betweene Nicasius de Sille & Katherina his wife & to receiue an Account of y^e^ debility of y^e^ husband & wife The w^ch^ accordingly they haue done, as also of y^e^ Estate in their hands or belonging to them both reall & personall who succeeding not in their endeavours of a Composure betweene them y^e^ w^ch^ I first recomended haue represented a very just & equitable way of satisfying their debts & to make an equall division of y^e^ remayning parte of y^e^ Estate betweene

them as in ye Reporte undr their hands is more perticulerly sett forth Upon mature deliberation & consideration of ye prmisses I doe hereby declare, That I doe very well approve of ye proceedings & result of ye said Comrs who seeme to haue Acted herein wth much integrity & wthout partiality, And therefore according to their Judgment & result I doe ordr in ye first place that ye farme Cattle houses Lotts & appurtenances belonging to ye said Nicasius de Sille at New Utrecht be first exposed to sale by publique Outcry either at Midwout or some other Convenient place upon Long Island of wch the neighbouring Townes are to haue Eight dayes notice at least Aftr wch I doe likewise recoñend & Ordr the observance of the remayning parte of ye said Comrs result, To wch end & that ye proceedings thereupon may ye more regularly & wth greatest indifferency be prosecuted, I referr it to ye said Nicasius de Sille to appoint one good person in trust to look aftr his concerns in this matter, & to Katherine his wife to take anothr who are to acte indifferently betweene them, & to ye best of their advantage, The wch if ye husband & wife or eithr of them shall neglect to doe wthin Eight dayes aftr ye date hereof, It shall be recoñended to some othr persons to do ye same that at length conclusion may be put to this troublesome affaire Given undr my hand & seale this 21th day of Aprill in ye 22th yeare of his Maties Raigne Annoq̃ Dñi 1670.

C. A. 2:511 (NYSL)

1670 Apr. 21

[Francis Lovelace.]

A Coñission graunted to Nicasius de Sille to be Publique Notary for ye Towne of Flatt bush. &c̃.

C. A. 2:513 (NYSL)

Francis Lovelace Esqr &c Whereas it is thought Convenient that there should be a sworne Publique notary in

1670 Apr. 25

C. A. 2:513 (NYSL)

1670 Apr. 25

some one of ye Dutch Townes upon Long Island, where he may be usefull to ye Inhabitants in Genrll & Mr Nicasius de Sille hauing an Intent to resyde in ye Towne of Midwout alias Flatt bush where he desires to officiate and Exercise that office, And having conceiued a good opinion of ye Capacity & fittnes of ye said Nicasius de Sille, I haue thought fitt to nominate & appoint & by this my prsent Comission do nominate constitute & appoint him ye said Nicasius de Sille to be publique notary for ye Towne of Mydwout alias Flatt bush & places adjacent, By vertue of wch Comission he hath power to attest any Deeds Instrumts Wills Testamts Codicills Contracts Covenants or any othr Acte or Acts as Publique Notaryes haue usually power to doe as also to take & receiue such priuiledges & advantages as to ye Office of a Publique Notarye doth any way belonge or appertayne, he taking ye Oath in ye Lawes appointed for ye due perfourmance of ye trust reposed in him, Given undr my hand & sealed wth ye Seale of ye Province at Fort James in New Yorke this 25th day of Aprill in ye 22th yeare of his Maties Raigne Annoq3 Domini 1670.

[Francis Lovelace.]

C. A. 2:514 (NYSL)

The Governors approbation & Confirmation of ye Choyce of psons nominated to Acte in the businesse betweene Nicasius de Sille & Catherina his wife.

1670 Apr. 25

Whereas in my last ordr of ye 21th of this prsent month in ye matter in difference betweene Nicasius de Sille & Catherina his wife it was recomended to ye said persons each of them to appoint one good man in trust to look aftr their Concernes in ye sale of their Lands or goods & disposall thereof as in ye said ordr is more pticulerly sett forth, & ye said Nicasius

de Sille hauing giuen in to me und^r his hand that he doth appoint Isaack Greveratt to Acte in Trust for him, & y^e said Katherina having likewise nominated Paulus Leendertsẽ van der Grift to acte in her Concernes, I doe very well approue of their Choyce & y^e said persons so nominated & approved of as aforesaid are hereby appointed & impowred to Acte according to my former ord^rs in prosecution of what hath beene done by y^e Com^rs whose directions und^r their hands they are to obserue to y^e utmost of their power & for their acting herein this shall be to them a sufficient warrant. Given und^r my hand at Fort James in New Yorke this 25^th day of Aprill 1670.

C. A. 2:514 (NYSL)

1670 Apr. 25

[Francis Lovelace.]

No. XVI.

DIVORCE CASE OF REBECCA LEVERIDGE AGAINST ELEAZAR LEVERIDGE, OF HUNTINGTON, LONG ISLAND.

The Governo^rs Łre to M^r Wood.

C. A. 2:477 (NYSL)

M^r Wood [1]

I haue rec^d a Petic̃on from Rebecka y^e wife of Eleazer Leveredg of yo^r Towne by y^e hands of her father Nicholas Wright of w^ch I herew^th send yo^u a Copy The occasion thereof being well knowne to yo^u (as I am informed) I shall desire yo^u to Acquaint me in wryting what hath already past concerning this matter in difference betweene y^e husband & wife w^th what yo^u can make further Inquiry of touching y^e

1669/70 Mar. 9

[1] Jonas Wood.

C. A. 2:477 (NYSL)

same, & retorne me a speedy Acct thereof Togethr yor Opinion of ye whole Case Whereupon I shall endeauor to proceed in decision of ye matter according to Law & good Conscience, This is all at prsent from

1669/70 Mar. 9

Yor very Loving freind
Fran Louelace

Fort James in New Yorke
March 9th 1669.

C. A. 2:486 (NYSL)

An Ordr for ye hearing ye matter in difference betweene Eleazer Leveridg of Huntington & his wife Rebecka at a Speciall Court to be houlden in this Citty.

1670 Apr. 1

Whereas Nicholas Wright of Oyster bay hath on ye behalfe of Rebeckah his daughtr wife of Eleazer Leveridg of Huntington made Complaint unto me of ye uncomfortable condition wherein his said Daughter hath for diuers yeares past liued wth her said husband & there haueing beene formerly seuerall Complaints made both on ye parte of ye Relations of ye husband as well as those of ye wife suggesting some notorious fault or impediment on ye one syde or ye other wch hitherto hath not beene fully or clearely made appeare, so that their mutuall discords & differences doe still continue, To ye end a faire Composure of ye same may be effected or some other Lawfull course taken therein, I haue by & wth ye advice & consent of my Councell thought fitt to ordr & appoint & by theise prsents do ordr & appoint that Eleazer Leveridg & Rebeckah his wife doe appeare here in this Citty upon Wednesday ye fourth day of May next before a speciall Court then appointed to Examyne into & determyne ye matter in difference betweene them, & all persons concerned, or that can giue in evidence on either parte are

likewise hereby required to make their appearance before y^e^ said Court for y^e^ better clearing of y^e^ truth, so that y^e^ controversy may be decided according to Law & good conscience, Giuen und^r^ my hand at ffort James in New Yorke this 1^st^ day of Aprill 1670. [Francis Lovelace.] C. A. 2:486 (NYSL) 1670 Apr. 1

To all Persons whome this may Concerne.

A Com̃ission graunted to M^r^ Thomas Lovelace & oth^rs^ to inquire into y^e^ matt^r^ betweene Eleazer Leveredg & Rebecka his wife. C. A. 2:522 (NYSL)

Whereas Complaint hath beene made unto me by Nicholas Wright on y^e^ behalfe of Rebeckah his Daught^r^ ag^t^ Eleazer Leveredg her husband & also by y^e^ said Rebeckah against him y^e^ said Eleazer that hauing beene joyned in matrimonye for y^e^ space of seauen yeares & a halfe or thereabouts he y^e^ said husband hath not perfourmed Conjugall Rights unto his wife, but on y^e^ contrary hath caused her to lead a very uncomfortable life w^th^ him, And the said ffather & daught^r^ upon supposition of Impotency & insufficiency in y^e^ said Eleazer Leveridg hauing sued for a divorce, the hearing & Examinac̃on into w^ch^ matt^r^ I do not judg meet should come before a publique Court, I haue therefore thought fitt to nominate & appoint & by theise p^r^sents do hereby nominate & appoint yo^u^ Thomas Lovelace Esq^r^ M^r^ Samuell Maverick M^r^ Matthias Nicolls Capt^n^ John Manning & M^r^ Humphrey Davenport to be Com^rs^ to meet at some Convenient place this afternoon then & there to heare & Examyn into this matter in difference betweene y^e^ said Eleazer Leveredg & Rebeckah his wife, To w^ch^ end yo^u^ are to call both y^e^ partyes before yo^u^ or whosoever else can Giue Evidence or Testi- 1670 May 6

C. A. 2:522 (NYSL)

monye in ye matter To whome youu may administer an Oath for ye bettr clearing of ye truth wch Oath youu are hereby Empowred to giue as also to Employ any othr person or persons skilfull in such matters to make inquiry into ye defect & impediments alleadged whereupon you are to giue yor Judgmts & rendr me an Account thereof that I may make some finall determination thereupon Given undr my hand & seale this 6th day of May in ye 22th yeare of his Maties Raigne Annoq3 Domini 1670. [Francis Lovelace.]

1670 May 6

C. A. 2:519 (NYSL)

The Governors Instructions to ye Comrs appointed to inquire into ye mattr betweene Eliezer Leveridg & Rebecka his wife.

1670 May 6

Whereas a certaine Petition was prsented to me from Rebecka Leveredg wife to Eliazer Leveredg of Huntington Complayning that she being his reputed wife for ye space of seaven yeares & a halfe, hath in all that tyme receiued no due benevolence from ye said Eleazer according to ye true intention of matrimony The great end of wch is not onely to Extinguish those Fleshly desires & appetites incident to humane nature but likewise for ye well ordering & confirmacõn of the Right of meum & tuum to be devolved upon ye Posterity lawfully begotten betwixt man & wife according to ye Lawes of ye Land & practise of all Christian Nations in that Case provided, I haue therefore thought fitt (for some reasons me thereunto moving) not to Assume ye Examynacõn of ye Case of Impotence into my hand but referr ye debate of that to such persons as by a Coñission undr my hand & seale I shall authorise fully to heare that matter & to make a Report thereof to me who thereupon will giue in my determynation as the Justice of ye Cause

shall meritt, And for ye future Execution of ye said Comon I giue theise further directions. C. A. 2:519 (NYSL)

First in regard ye prayer of ye Petition implyes a divorce (for ye reasons alleadged therein) you are principally to inquire whetr they are man & wife according to ye Lawes & practise of that Governmt that was Establis'ht over them. 1670 May 6

Secondly if it shall appeare to you to ye contrary that then ye partyes be bound ouer ye next Sessions, there to answer their Contempt & breach of ye Law.

But if it shall appeare before you that they were lawfully Espoused to each othr according to the Law in that Case provided that then you enter into ye debate & determination of ye insufficiency alleadged by Rebeckah Leveredg wife to Eleazer her reputed husband as is alleadged in the Petition concerning his sufficiency for procreation ye true end of matrimony to ye Accomplishmt of wch you haue by yor Comission ordr to Convene a Councell of ye ablest Chirurgions or other knowing persons in such case for ye Exaiacon of Eleazer Leveredg his sufficiency for procreation or ye deficiency of Rebecka Leveridg ye reputed wife of Eleazer by authorising such graue & skilfull Matrons to Examyn into ye Sufficiency or defect of hir nature in Case any should appeare & to retorne you an Account thereof wch likewise you are to Transmitt to me togethr wth your results & opinions of yor Judgments of ye whole matter comitted to yor hearing according to yor Comission & Instructions. May ye 6th 1670. [Francis Lovelace.]

A Divorce graunted to Rebeckah Wright from Eleazer Leveridg. C. A. 2:607 (NYSL)

Whereas Nicholas Wright of Oysterbay on ye behalfe of his Daughtr Rebeckah ye wife of Eleazer Leveridg, & ye 1670 Oct. 22

C. A. 2: 607 (NYSL)

1670 Oct. 22

said Rebeckah for her selfe, did make their Complaint unto me against ye said Eleazer Leveridg her husband, That she having beene his reputed wife for ye space of Seaven yeares & a halfe, She hath not in all that tyme Received any due benevolence from her said husband according to ye true Intention of Matrimonye, The greate end of wch is not onely to Extinguish those fleshly desires & appetites incident to Humane nature but likewise for ye well ordering & Confirmation of ye Right of Meum & Tuum to be devolved upon the Posterity lawfully begotten betwixt man & wife according to ye Laws of ye Land & practise of all Christian Nations in that Case provided, & did therefore sue for a divorce, Whereupon having appointed Comrs to call both partyes before them & strictly to Examyne into ye Affayre & to make report of their Judgment thereupon ye wch after serious inquiry made by them wth ye Advice of Chirurgions well skill'd & Sober Matrons who privily Examyned both ye man & woman, they made Report of their Judgment & opinion, That ye defect was in ye husband & not in ye wife, And that there was sufficient ground for a divorce, All wch being afterwards represented to my Councell & they having declared themselues to agree in ye Same opinion: For ye Reasons afore specified, ye prtended marriage betweene ye said Eleazer Leveridg & Rebeckah Wright is hereby adjudged & declared to be void null & invalid, Togethr wth all ye Consequences thereof, & ye said Rebeccah Wright is hereby acquitted made free & divorced from all prtences of marriage or Matrimoniall Tyes & obligations betweene her & ye said Eleazer & ye ccae said Rebh hath likewise free libertye to dispose of her selfe in Lawfull marriage wth any othr ℔son as if ye tyes & Obligations betweene ye said Eleazer & her had never beene. Given undr my hand & Sealed wth ye Seale of ye Province this 22th day of October in ye 22th yeare of his Maties Raigne Annoq̃ Domini 1670.

[Francis Lovelace.]

No. XVII.

STATEN ISLAND — FINAL PURCHASE OF ISLAND FROM INDIANS IN 1670.

C. A. 2: 468 (NYSL)

The Governors Lett^r

Gen^ll

1669/70 Feb. 16

Having Rec^d a Complaint against yo^r neighbour Indians from M^r Stillwell & Nathan Whitmore on y^e behalfe of y^e Inhabitants in Gen^rll of yo^r Towne & likewise heard & debated what they had to say as to your Jealousyes & feares of y^e Indians Insolencyes & threatnings grounded upon their p^rtences that y^e Land there hath not beene paid for, & that your Horses Hoggs or Cattle haue done them damage in their Corne I haue thought good to retorne yo^u this in answer That in y^e first place yo^u send to them & treate w^th those concerned in a freindly way touching y^e purchase of soe much of that Island as hath not beene already bought & payd for y^e w^ch can be proued to haue beene perfourmed in parte notw^thstanding their denyall, & that yo^u do it as for yo^rselues, & at as easy a rate as possible, y^e w^ch will turne to yo^r owne perticuler advantage, & hauing so done that yo^u cause y^e same to be remitted to me for a Confirmation, & whether you shall be admitted purchasers or that I shall comply w^th yo^r Agreem^t & buy it for his Royall Highness, It shall be still for yo^r good & benefitt, I shall onely expect y^e p^rference in y^e purchase on y^e Dukes behalfe, As to their threatnings yo^u ought not to shew y^e Least apprehension of feare of them, But it is yo^r parte to haue a Vigilant Eye over their Actions & Motions, & that yo^u cause a Guard to be kept in y^e Towne for yo^r defence against any suddaine mischeife from them, y^e w^ch as there shall be occasion & I

C. A. 2: 468 (NYSL)

haue notice thereof shall be strengthned wth a supply of a partye of Souldiers & an Officer from hence capable to offend them as well as to defend yo^{u}. That upon discourse of y^{e} dam̃age they p^{r}tend to haue rec^{d} by yo^{r} horses Cattle or hoggs yo^{u} may shew to them y^{e} great difficulty of preuenting it as long as their Corne lyes unfen'ct & y^{e} greate charge it will be to fence in their ground as it lyes in y^{e} midst of y^{e} woods but if they could pitch upon some Neck of Land fitt for that purpose w^{ch} may wth more ease be fen'ct in, that yo^{u} will be ready to assist them in setting of it up unless they'l agree upon Termes to leaue y^{e} Island wholly — If yo^{u} can proue that they haue kill'd or destroyed any of yo^{r} horses Cattle or Hoggs yo^{u} may acquaint them that y^{e} English Law will Constrayne them to make satisfaction for them, & that it is no Trespasse for them to come upon any ground unfenc't, but lett your discourse tend to a friendly composure of all differences.

1669/70 Feb. 16

In Conclusion yo^{u} may acquaint them, that my resolution is to be upon y^{e} Island in y^{e} spring, when if they haue any thing extraordinary to propose or Complaint to make, I shall be ready to ord^{r} all due satisfaction to be giuen therein & will endeauo^{r} to remoue all future Occasions of difference betweene yo^{u} & them. This is all at p^{r}sent, I haue to Recom̃end to yo^{u} so conclude being

Yo^{r} Very Loving freind

Febr^{y} 16th 1669. Fran: Louelace

(NYSL)

[Indian Deed of Staten Island, 1670.]

1670 Apr. 13 and 15

This Indenture made the Thirteenth Day of Aprill in the 22th yeare of the Raigne of o^{r} Soveraigne Lord Charles the Second by the Grace of God of England Scotland, ffrance &

[1] Formerly in *Land Papers*, vol. I, p. 34, office of Secretary of State.

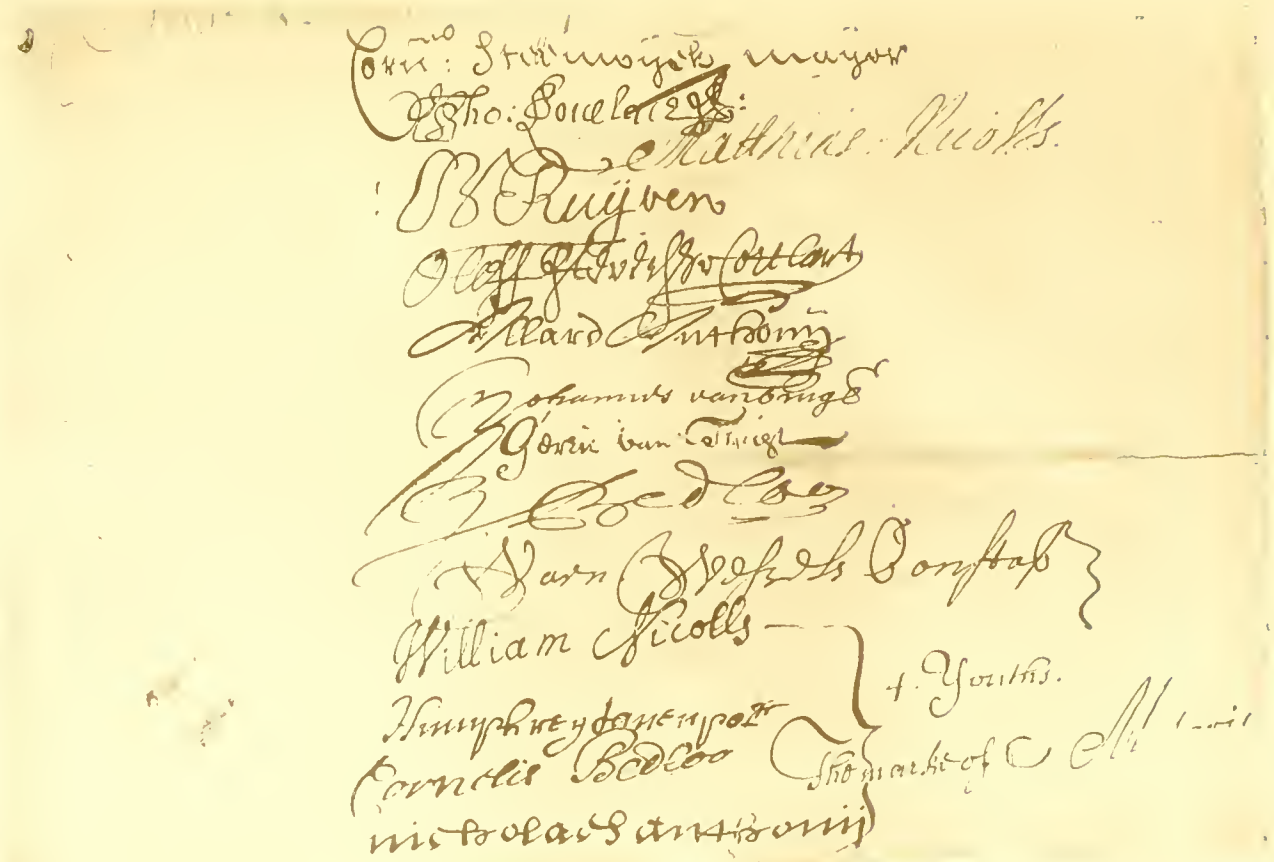
(NYSL)

1670 Apr. 13 and 15

Ireland Kinge Defend^r of the Faith &c & in th[e] yeare of our Lord God 1670, Between y^e R^t Hon^ble Francis Lovelace Esq^r Governo^r Gen^rll und^r his Royall Highness James Duke of York & Albany &c Of all his Territoryes in America for & on y^e behalfe of his said Royall Highness on y^e one parte and Aquepo, Warrines, Minqua-Sachemack, Pemantowes Quewequeen, Wewanecameck, and Mataris, on y^e behalfe of themsel[ves] as the True Sachems Owners & lawfull Indian Proprietors of Staten Island & of all oth^r Indians any way concerned therei[n] on y^e other parte Witnesseth, That for & in consideration of a certaine sum̃e of Wampom & divers other goods, w^ch in th[e] Schedule hereunto annext are Exprest, unto y^e said Sachems in hand paid by the said Governo^r ffrancis Lovelace or his Order, The receipt whereof they y^e said Sachems Doe hereby Acknowledg, & to be fully satisfyed, & thereof & every parte thereof Doe for themselues & all others concerned their heires and Successors & every of them clearly acquitt and discharge the said Governour & his Successors Have given graunted bargained & sould, & by theise p^rsents Doe fully & absolutely give graunt bargaine & sell unto y^e said ffrancis Lovelace Governour for & on y^e behalfe of his Royall High[s] aforementioned All that Island lyeing & being in Hudsons Ryver, com̃only called Staten Island & by y^e Indian[s] Aquehonga Manacknong — having on y^e South y^e Bay & Sandy point, on y^e North y^e Ryver & y^e Citty of New Yorke on Manh[a]tans Island, on y^e East Long Island, & on y^e west y^e maine Land of After Coll, or New-Jersey, Togeth^r w^th all y^e Lands soy[les] meadowes fresh & salt pastures Com̃ons wood land Marshes Ryvers Ryvoletts streames Creeks waters Lakes & whatsoever to y^e said Island is belonging or any way apperteyning, & all & singuler oth^r y^e p^rmisses w^th th'appurtenance[s] & everye parte & parcell thereof, w^thout any

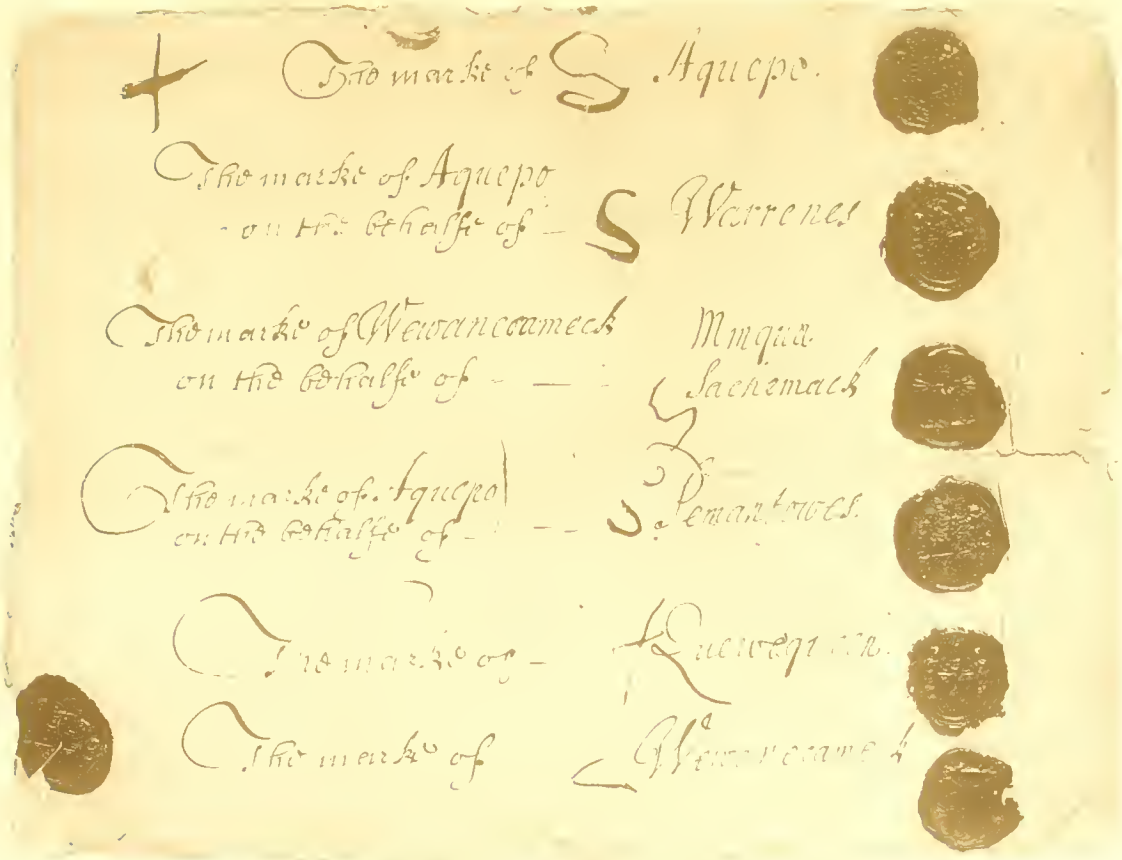
(NYSL) 1670 Apr. 13 and 15

reservation of y^e herbage or Trees or any other thinge growing or being thereup[on] And the said Sachems for themselues & all others concerned their heires & successo^rs Doe Covenant to & w^th y^e said Governo^r & his successo^rs for & on y^e behalfe aforesaid in manner & forme following, That is to say That they y^e said Sachems now are y^e very True sole & Lawfull Indian Owners of the said Island & all & singuler of y^e p^rmisses, as being derived [to] them by their Auncestors, & that now at th'ensealing & delivery of theise p^rsents they are lawfully seized thereof [to] y^e use of themselues their heires & Assignes for ever according to y^e use & Custome of y^e rest of y^e Native Indians of the Country, And further That y^e said Island now is & at y^e tyme of Executing of ye said Estate to be made as aforesaid shall be & from tyme to tyme & at all tymes hereafter shall & may stand remaine and continue unto y^e said Governo^r & his successors to y^e use of his Royall Highness as aforesaid, free & [c]learly discharged & Acquitted from all & every former bargaines sales guifts Graunts & Incumbrances whatsoever And furthermore the said Sachems for themselues and all others concerned their heires & Successo^rs Doe Covenant That y^e said Governor his successo^rs & Assignes for & on y^e behalfe of his Royall Highness as aforesaid shall & may from henceforth forever Lawfully peaceably & quietly haue hould possesse & Enjoy all the said Island w^th th'appurtenances & all & every oth^r y^e p^rmisses w^th their appurtenances w^thout any Lett resistance Disturbance or interuption of the said Sachems or any others concerned their heires & successo^rs & w^thout any manner of Lawfull Lett resistance molestation or interuption of any other person or persons whatsoever Clayming by from or under them or any of them And It is likewise Lastly Covenanted & agreed That y^e said Sachems & y^e rest of the



SIGNATURES OF WITNESSES TO THE INDIAN DEED
CONVEYING STATEN ISLAND IN 1670.

(Reduced from 6¼ by 8 inches.)



MARKS OF INDIANS ON INDENTURE DEED CONVEYING STATEN ISLAND IN 1670.

(Reduced from 6¼ by 8 inches.)

(NYSL)

1670 Apr. 13 and 15

Indians concerned w^th^ them now Inhabiting or residing upon y^e^ said Island shall haue Free leaue & Liberty to be & remaine thereupon untill y^e^ First Day of May next, when they are to surrend^r^ the possession thereof unto such person or persons as y^e^ Governo^r^ shall please to appoint to see y^e^ same put in Execution upon w^ch^ day They are all to Transporte themselues to some other place & to resigne any Interest or Clayme thereunto or to any parte thereof forever To haue & to hould y^e^ said Island so bargained & sould as aforementioned unto y^e^ said Francis Lovelace Governo^r^ & his successors for & on y^e^ behalfe of his Royall Highness his heires & Assignes unto y^e^ proper use & behoof of his said Royall Highness his heires & Assignes for ever. In witness whereof ye Partyes to theise p^r^sent Indentures haue Interchangably sett to their hands & seales the day and yeare first herein wrytten

Sealed & Deliuered in y^e^ p^r^sence of

	The marke of	
Corn^us^ Steenwijck, Maijor	X	[*Seal*]
	Aquepo	
Tho. Louelace	The marke of Aquepo	
	X	[*Seal*]
Matthias Nicolls	on the behalfe of	
	Warrenes	
C V Ruijven	The marke of Wawanecameck	
	X	
Oloff Stevens V^n^ Cortlant	on the behalfe of	[*Seal*]
	Minqua Sachemack	
Allard Anthonij	The marke of Aquepo	
	X	
Johannes vanbrugh	on the behalfe of	[*Seal*]
	Pemantowes	

(NYSL) Gerret van Tricht — The marke of X [*Seal*] Quewequeen

1670 Apr. 13 and 15 I Bedloo

Warn. Wessels Constab — The marke of X [*Seal*] Wawanecameck

The marke of X [*Seal*] Mataris

William Nicolls
Humphrey dauenport
Cornelis Bedloo
nicholaes Anthonij
} 4 Youths.

Memorand. That the young Indyans not being present at the Ensealing & delive[ry] of the within written deed, it was again delivered & acknowledged before them w[hose] names are here under written as witnes[ses.]

Aprill the 15th 1670.

Signed in presence of
The Governor
Captn Manning
The Secretary.

The marke of X Pewowahone. about 5 yeares old a boy.

The marke of X Rok[o]que[s] about 6 yeares old a Girle.

The marke of X Shinginnemo. about 12 yeares old a Girle.

The marke of X Kanarehanse about 12 yeares old a Girle.

The marke of X Maquadus about 15 yeares old, a young man.

The marke of X Asheharewas about 20 yeares old a young man.

(NYSL)

1670
Apr. 13
and 15

The Payment Agreed upon for y^e^ Purchase of Staten-Island Conveyed this Day by y^e^ Indian Sachems Proprieto^rs^ (vizt)

1 Fower hundred Fathom of Wampom
2 Thirty Match Coates
3 Eight Coats of Dozens made up
4 Thirty Shirts
5 Thirty Kettles
6 Twenty Gunnes

A ffirkin of Powder 7
Sixty Barres of Lead 8
Thirty Axes 9
Thirty Howes & 10
Fifty Knives 11

Memorandum It is Covenanted & Agr[eed upon by & betweene y^e^] within mentioned Francis Lovelace Esq^r^ Gover[no^r^] &c for & in y^e^ behalfe of his Royall Highn^ss^ & y^e^ w^th^in wrytten Sache[m]s on y^e^ behalfe of themselues & all oth^rs^ concerned before th'ensealing & delivery hereof That Two or Three of y^e^ said Sachems their heires or successo^rs^ or so many Persons Imployed by them shall once every yeare (vizt) upon y^e^ First day of May yearely after their surrend^r^ repair to this ffort to acknowledge their Sale of the said Staten Island to y^e^ Governour or his Successors to continue a mutuall freindship betweene them As witness their hands.

The mark of X Aquepo

The mark of
X
Wewanacamec[k]
on y^e^ behalfe of
Minqua Sachemack

The marke of X Aquepo
on behalfe of
Pemantowes

[The] marke of X Aquepo
on the behalfe of
Warrines

The marke of
X
Quewequeen

The marke of
X
Wewanecameck

The marke of X Mataris.

(NYSL) *Endorsed:*

1670
Apr. 13
and 15

Staten Island Deed of Purchase
from the Indians[1]
Apr 1[3] 1670

Recorded y^e^ Day & yeare w^th^^e^in
wrytten by me [*Two seals*]

Matthias Nicolls Secr̃

C. A.
2:518
(NYSL)

1670
May 2

A warrant for M^r^ Thomas Lovelace &
M^r^ Matthias Nicolls to take possion
of Staten Island.

These are to appoint yo^u^ M^r^ Thomas Lovelace & M^r^ Matthias [Nicolls] to repayre this day to Staten Island there to take possession by Turfe & Twigge & y^e^ surrend^r^ of y^e^ said Island by y^e^ Indian Sachems & Proprietors in y^e^ name of his Royall Highness according to y^e^ Teno^r^ of y^e^ bill of Sale & Purchase, & for so doeing this shall be yo^r^ warrant, Given und^r^ my hand at ffort James in New Yorke this 2^d^ day of May 1670.

[Francis Lovelace.]

[1]The signatures of those who witnessed this deed, as well as the marks of the principal Indians, are given in exact size of the original on the accompanying facsimile plates. It will be noticed that the signature of Governor Francis Lovelace is not there. This was an indenture deed and the governor put his signature on that one of the two deeds which went to the custody of the Indians, and which is now in the New York Historical Society.

No. XVIII.

THOMAS MAYHEW, JURISDICTION OF MARTHA'S VINEYARD, NANTUCKET AND OTHER ISLANDS, ETC.

[Deed to Thomas Mayhew, Sr., and others.]

Deeds 3: 55 (Sec. State)

Recorded for Mr Tristram Coffin, & Mr Thomas Macy the day afore-written.[1]

1641 Oct. 13

Recorded 1671 June 29

These Presents doe Wittness That I James fforrett Genr. who was sent over into these parts of America by ye Hoñble ye Lord Sterling with a Commission for ye Ordering & Disposing of all ye Islands that lye between Cape-Cod & Hudsons River, & hath hitherto continued his Agency without any Contradiction, doe hereby Grant unto Thomas Mayhew of Water-Towne Merchr & to Thomas Mayhew his Sonn ffree Liberty & full power to them & their Associates to plant & Inhabitt upon Nantuckett, & two other small Islands adjacent, & to enjoy ye said Islands to them & their Heyres, & Assignes forever. Provided That ye said Thomas Mayhew & Thomas Mayhew his Sonn or either of them or their Associates doe Render & give yearly unto ye Hoñd ye Lord Sterling his Heyres or Assignes such an Acknowledgmt as shall be thought fitt by John Winthrop Senr Esqr or any two Magistrates in ye Massachusets Bay, being chosen for that end & purpose by ye Hoñd ye Lord Sterling or his Deputyes; And by ye said Thomas Mayhew & Thomas Mayhew his Son & their Associates It is agreed That ye Governmt that ye said Thomas Mayhew, & Thomas Mayhew his Son &

[1] This deed with slight and immaterial variations was recorded for Thomas Mayhew and Matthew Mayhew, July 16, 1671, in *Deeds*, vol. 3, pp. 64, 76.

Deeds 3: 55 (Sec. State)

1641 Oct. 13

Recorded 1671 June 29

their Associates shall sett up their, shall bee such as is now Established in ye Massachusetts aforesaid; And that ye said Thomas Mayhew & Thomas Mayhew his Sonn, & their Associates shall have as much Priveledge touching their planting, Inhabiting, & Enjoying of all & every part of ye Premisses as by Patent is granted to ye Patentees of ye Massachusetts aforesaid & their Associates. In wittness whereof I ye said James fforrett have hereunto Sett my Hand & Seale ye 13th day of October, Sixteen hundred & ffourty one. 1641.

James (Seale) fforrett.

Signed, Sealed, & Delivered in
ye prsence of us

Robert Corne
Nichol: Davyson.
Richard Stileman.

Deeds 3: 63 (Sec. State)

Here followes ye Records of Mr Mayhew's Concernes wth ye Governor; That being ye Busyness that happned to be next dispatcht.

Deeds 3: 64 (Sec. State)

Certaine Deeds and other Writeings Recorded [1] for Mr Thomas Mayhew of Martins Vineyard & Mr Matthew Mayhew his Grand-Childe, this 16th day of July 1671. as followeth.—Vizt

Deeds 3: 65 (Sec. State)

Another Deed made by James Forrett.

1641 Oct. 23

Recorded 1671 July 16

Whereas by Vertue of a Commission from ye Lord Sterling James fforrett Genr hath granted Liberty & full power unto

[1] The deed from James Forret as agent for Lord Stirling, October 13, 1641, recorded previously for Coffin and Macy, was again recorded on July 16, 1671, for the Mayhews, and hence is omitted here from the head of the above group (pp. 64–5).

Thomas Mayhew of Watertowne Merch^t & Thomas Mayhew his Sonn & their Associates to Plant y^e Island of Nantuckett according to Articles in a Deed to that purpose expressed; Now fforasmuch as y^e said Island hath not been yett well Surveyed, whereby It may appeare, That comfortable Accomodac̃on for themselves & their Associates will there be found; This therefore shall serve to Testify that I y^e said James fforrett by Vertue of my said Commission doe hereby Grant unto y^e said Thomas Mayhew & Thomas Mayhew his Sonn, & their Associates as much Lyberty to Implant upon Martins Vineyard, & Elizabeth Islands as They have by vertue of y^e Deed Granted unto them for Nantucket, as therein (plainly in all Considerac̃ons, both on y^e Right Hoñ^ble y^e Lord Sterlings part, & on y^e said Thomas Mayhew his Sonn & their Assocyates) doth appeare. And in witness hereof I y^e said James Forrett have hereunto Sett my Hand this 23^d day of Octob^r Anno Dñi 1641.

Deeds 3: 65 (Sec. State)
1641 Oct. 23
Recorded 1671 July 16

James Forrett

Signed, Sealed, & Delivered in
y^e p^rsence of us John X Daham
his marke.
Garrett Church.

A Deed made to M^r Mayhew by Richard Vines.

Deeds 3: 66 (Sec. State)
1641 Oct. 25
Recorded 1671 July 16

I Richard Vines of Saco Genť. Steward Geñ^rll for S^r fferdinando Gorges K^t Lord Proprieto^r of y^e Province of Mayne Land, & y^e Islands of Capawock & Nantican, doe by these p^rsents give full pow^r & Authority unto Thomas Mayhew Genť. his Heyres & Associates to plant & Inhabitt upon y^e Islands of Capawock alś Martha's Vineya^rd w^th all Rights, & Priveledges thereunto belonging, to enjoy the Premisses to himselfe his Heyres & Associates forever.

Deeds 3:66 (Sec. State)

1641 Oct. 25

Recorded 1671 July 16.

Yielding & paying unto y^e^ said S^r^ fferdinando Gorges his Heyres & Assignes forever annually, as two Gen̄t indifferently by each of them chosen shall judge to bee meet by way of Acknowledgm^t^ Given under my Hand this 25^th^ day of October 1641.

Rich^d^ Vines.

Wittness
Thomas Page
Robt Long.

Deeds 3:68 (Sec. State)

[Grant from Thomas Mayhew, Sr., and his Son, to Inhabitants of Martha's Vineyard.]

Decemb^r^ 4^th^ 1646.

1646 Dec. 4

Recorded 1671 July 16

This witnesseth that M^r^ Mayhew y^e^ Elder, & also M^r^ Mayhew y^e^ younger have freely given to y^e^ Men now inhabiting on y^e^ Island namely the Vineyard this Tract of Land following for a Townshipp: Namely all Tawanquatacks his Right, together w^th^ all y^e^ Land as farr as y^e^ Eastermost Chap of Homses Hole, & also all y^e^ Island called Chapaquegick, w^th^ full power to Dispose of all & every part of y^e^ said Land as They see best for their own comfortable Accomodac̄on. The Line is to goe from Tequa=nomans Point to y^e^ Eastermost Chap of Homses Hole. This I doe acknowledge to bee y^e^ ffree Grant of myselfe & my Sonn, y^e^ day & yeare above-written. Decem: 4^th^ 1646:

Per me Thom: Mayhew

This abovewritten is a true Coppy taken out of y^e^ Originall Grant by mee Thomas Dassett Clerke for y^e^ Towne Great Harbour on y^e^ Vineyard. As Wittness my Hand, June 10^th^ 1671.

Per Thom: Dassett

[Deed of Nantucket to Tristram Coffin and Associates.]

Deeds 3:56 (Sec. State)

Recorded for Mr Coffin & Mr Macy aforesd ye day & yeare aforesd.

1659 July 2

Recorded 1671 June 29

Bee it known unto all Men by these Presents That I Thomas Mayhew of Martins Vineyard Merchr doe hereby acknowledge That I have sould unto Tristram Coffin, Thomas May,[1] Christophr Hussey, Richard Swayne, Thomas Bernard, Peter Coffin, Steeven Green-leafe, John Swayne, & William Pyke, That Right, & Interest that I have in ye Land of Nantuckett by Patent; ye wch Right I bought of James fforrett Genr. & Steward to ye Lord Sterling, & of Richard Vines sometimes of Sacho Genr. Steward Genrll unto Sr Georges Knight, as by Conveyances under their Hands & Seales doe Appeare; ffor them ye aforesaid to Injoy & their Heyres & Assignes forever, wth all the Priveledges thereunto belonging, ffor & in Consideration of ye Sume of Thirty pounds of Currant pay, unto whomsoever I ye said Thomas Mayhew mine Heyres or Assignes shall appoint; And also two Beaver Hatts, one for my selfe, & one for my wife. And further This is to declare that I ye said Thomas Mayhew have receiv'd to my selfe that Neck upon Nantuckett called Masquetuck, or that Neck of Land called Nashayte, The Neck (but one) no[r]therly of Masquetuck, ye aforesaid Sale in anywise notwithstanding. And further I ye said Thomas Mayhew am to beare my parte of the Charge of ye said Purchase abovenamed, & to hold one 20th part of all Lands purchased already, or shall bee hereafter purchased upon ye said Island by ye aforesd Purchasrs or Heyres & Assignes forever. Briefly It is thus, That I really sold all my Patent to ye aforesd nine Men, & they are to pay mee or whomsoever I shall appoint them ye Sume of Thirty pounds in good merchantable Pay in ye Massachusetts, undr

[1] An error for Macy.

Deeds 3:56 (Sec. State)

1659 July 2

Recorded 1671 June 29

wch Governmt They now Inhabitt, & 2 Beavr Hatts, & I am to beare a 20th part of ye Charge of ye Purchase, & to have a 20th part of all Lands & priveledges; And to have wch of ye Necks abovesd that I will my selfe paying for it; only ye Purchasrs are to pay what ye Sachem is to have for Masquetuck, although I have ye other Neck. And In wittness hereof I have hereunto sett my Hand & Seale this second day of July Sixteen hundred & ffifty nine 1659.

℔ me Tho: Mayhew.

Wittness
John Smyth.
Edward Seale.

Deeds 3:57 (Sec. State)

[Deed of Tuckanucket to the Coffins.]

Recorded for Mr Coffin and Mr Macy aforesaid, ye day & yeare aforewritten.

1659 Oct. 10

Recorded 1671 June 29

The tenth day of October, One Thousand six hundred fifty & Nine; These Presents Wittness, That I Thomas Mayhew of Martins Vineyard Merchr doe give, grant, Bargaine, & Sell all my Right & Interest in Tuckanuck Island, alʒ Tuckanuckett, wch I have had, or ought to have, by vertue of Patent Right, purchased of ye Lord Sterlings Agent, & of Mr Richard Vines Agent unto Sr fferdinando George Knight, unto Tristram Coffin,Sr Peter Coffin, Tristram Coffin Junr & James Coffin, to them & their Heyres forever. ffor & in Consideracõn of ye just Sume of six Pounds in hand paid, & by mee Thomas Mayhew received in full Satisfaction of ye aforesaid Patent Right of ye aforesaid Island. And In wittness hereof I have sett my Hand & Seale.

Per me Thomas Mayhew.

Wittness hereunto.
Roger Wheeler
George Wheeler.

[Indian Deed of Tuckanucket.]

Deeds 3:53 (Sec. State)

Recorded for Mr Coffin & Mr Macey of Nantuckett ye 29th day of June. 1671.

The 20th day of ffebry 1661.[1]

1660/1 Feb. 20

Recorded 1671 June 29

These Presents doe Wittness that I Wamachmamack Chiefe & Head Sachem of Nantuckett Island doe Bargaine & Sell unto Tristram Coffin Senr, Peter Coffin, Tristram Coffyn Junr, & James Coffin Sonnes of ye abovesd Tristram Coffyn Senr ye one halfe of Tuckcanuck Island, als Tuckanuckett, with all Appertenances & Priveledges thereunto belonging, namely that halfe of ye foresd Island that Pattacohanett layeth Clayme now unto since hee sold ye other halfe, wch is ye North & North-West parts of ye Island as it was divided by Peter ffolges. Now these Presents doe further Wittness that for & in Consideracon of ye just Sume of Ten pounds, I Wamachmamack doe Bargaine & Sell all my Right & Interest that I had, have, or ought to have in ye foresd Island of Tuckanuck, als Tuckanuckett unto ye abovesd Tristram Coffin Senr, Peter Coffin, Tristram Coffin Junr, & James Coffin abovesd, to them & their Heyres forever; In consideracon of ffive pounds in hand paid, & ffive pounds more wthin one Month after yt I ye aforesaid Wamachmamack shall make it appeare that ye Bargaine of Sale concerning ye above-named Island is good & Right according to Law, namely that hee ye sd Sachem was ye true & lawfull Ownr of ye aforesaid Island; And when it is by any other Person questioned Mr Thomas Mayhew is to determine who is ye Right Owner, And hee that is found to be ye Right Owner is

[1] Supposedly the clerk intended to write 1660 or 1660/1.

Deeds 3: 53 (Sec. State)

to have y^e^ ffive pounds that is unpaid. In wittness whereof I have hereunto sett my Hand.

The marke X of
Wamachmamack Sachem.

1660/1 Feb. 20

Recorded 1671 June 29

Wittness hereunto
Peter ffowler
John Glips.

Deeds 3: 54 (Sec. State)

[Indian Deed of Nantucket.]

Recorded for M^r^ Tristram Coffin, & M^r^ Thomas Macy. y^e^ 29^th^ of June 1671. as afores^d^

[? 1660/1 Feb. 20]

Recorded 1671 June 29

These p^r^sents wittness y^t^ I Wanackmamack Head Sachem of y^e^ Island of Nantuckett have Bargained & Sold, & doe by these Presents Bargaine & Sell unto Tristram Coffin, Thomas Macy, Rich^d^ Swayne, Thomas Bernard, John Swayne, M^r^ Thomas Mayhew, Edward Starbuck, Peter Coffin, James Coffin, Stephen Green-leafe, Tristram Coffin Jun^r^ Thomas Coleman, Robert Bernard, Christopher Hussey, Robert Pyke, John Smyth and John Bishop These Islands of Nantuckett, namely all y^e^ West end of y^e^ afores^d^ Island unto y^e^ Pond coñonly called Waquittaquay, & from y^e^ head of that Pond to y^e^ North-side of y^e^ Island Manamoy; Bounded by a path from y^e^ Head of y^e^ Pond aforesaid to Manamoy; as also a Neck at y^e^ East end of y^e^ Island called Poquomock, w^th^ the propriety thereof, & all y^e^ Royaltyes, priveledges, & Immunityes thereto belonging, or whatsoever Right I y^e^ afores^d^ Wanackmamak have, or have had in y^e^ same; That is, all y^e^ Lands aforemenc̃oned and likewise y^e^ Winter ffeed of y^e^ whole Island from y^e^ end of an Indyan Harvest untill planting time, or y^e^ first of May from yeare to yeare for ever; As likewise Liberty to make use of Wood, and Timb^r^ on all parts of y^e^ Island; & likewise halfe of the Meadowes &

Marishes on all parts of y^e^ Island, w^th^out or beside y^e^ afores^d^ Tracts of Land purchased; And likewise y^e^ use of y^e^ other halfe of y^e^ Meadowes & Marishes, as long as y^e^ aforesaid English their Heyres or Assignes live on y^e^ Island; And likewise I the aforesaid Wanackmamack doe Sell unto y^e^ English aforemenc̃oned y^e^ propriety of y^e^ rest of y^e^ Island belonging unto mee, for & in considerac̃on of ffourty pounds already received by mee or other by my Consent or Ord^r^; To have & to hold y^e^ afores^d^ Tracts of Land w^th^ y^e^ ꝑpriety, Royalties, Immunityes, priveledges & all Appertenances thereto belonging to them y^e^ afores^d^ Purchas^rs^ their Heyres & Assignes forever. In Wittness whereof I the afores^d^ Wanackmamack have hereunto sett my Hand & Seale y^e^ Day & yeare above-written.

Deeds 3:54 (Sec. State)

[? 1660/1 Feb. 20]

Recorded 1671 June 29

The signe of —
Wanack-mamack.

Signed Sealed & Deliverd in y^e^ p^r^sence of
Peter Foulger.
Eliazar Foulgar.
Dorcas Starrbuck.

[Indians' Affirmation of Deed to Thomas Mayhew, Jr. for Land on Nantucket Island.]

Deeds 3:66 (Sec. State)

May y^e^ 10^th^ 1665.

This Writing doth wittness That I Wassulon & Inittuane did sell unto Thomas Mayhew y^e^ Young^r^ a Tract of Land for him y^e^ said Thomas Mayhew his Heyres & Assignes to enjoy forever; The w^ch^ Sale was made, & y^e^ Goods paid unto us for y^e^ same to y^e^ vallue of ffifteen pounds, & y^e^ Tract of Land delivered into y^e^ possession of y^e^ said Thomas Mayhew in y^e^ yeare of o^r^ Lord God One thousand six hundred ffifty three; That allwayes halfe of them, & halfe y^e^

1665 May 10

Recorded 1671 July 16

Deeds 3: 66 (Sec. State)

1665 May 10

Recorded 1671 July 16

Whale was also sold unto y^e^ said Thomas Mayhew for him, his Heyres, & Assignes to enjoy forever. & then delivered into y^e^ said Thomas Mayhew his possession, being part of y^e^ Purchase afores^d^ This wee sold & Deliver'd to y^e^ cleare knowledge of many Indyans, as Mickso, Eanawamett, M^r^ John Keoquissen, & many others; And this Writeing I doe now give under my Hand, because y^e^ first Writing cannot at p^r^sent be found. This wee sold w^th^ y^e^ Approbacon of Vssamequin; The Bounds of y^e^ s^d^ Land beginneth at Wakachacoyk to Arkepah a River, & from the said Wakachakoyck by a streight Line to y^e^ middle of y^e^ Island, that is y^e^ middle Lyne that divides y^e^ Land of Towtoe & others, & y^e^ Land sold y^e^ said Thomas Mayhew. And from the Place that Lyne meeteth y^e^ middle Lyne that divides as afores^d^ The s^d^ Land is to goe to the Harbour upon y^e^ North side of y^e^ Island called Waweettick. Wittness my Hand y^e^ Day & yeare afores^d^

Wassulon
his X Marke

Wittness
Nicholas Davis. Isaack Norton
Nicholas Norton M his marke.

Deeds 3: 67 (Sec. State)

M^r^ Thomas Mayhew his Grant of Liberty to some Inhabitants on his Island to buy Land.

1668 July 1

Recorded 1671 July 16

Forasmuch as I have a Grant of this Island both from y^e^ Agent of y^e^ Lord Sterling, & also from y^e^ Agent of S^r^ fferdinando Gorges K^t^ for this Island y^e^ Vineyard; This doth wittness that I Thomas Mayhew doe grant unto W^m^ Pabody, Josyas Standish, & James Allen Liberty to buy Land; I say Liberty to buy what Land They can upon this Island w^th^in y^e^ Compass of y^e^ Bounds of Takinny of y^e^ Indyan Sachems y^e^ R^t^ Own^rs^; & to enjoy all such Lands to themselves, Heyres, &

Assignes forever, upon the same Termes & Condic̃ons that I have it of y^e^ Lord Proprietor, but for y^e^ People that are to be brought on, They are to be not only approved of by y^e^ said William Pabody, Josyas Standish, & James Allen, or the major part of them or their Assignes, but also by mee y^e^ said Thomas Mayhew my Heyres & Assignes, & for y^e^ Governm^t^ of y^e^ Inhabit̃^ts^ that shall bee there upon y^e^ said Land; It is to be carryed on by myselfe & y^e^ majo^r^ part of y^e^ ffreehold^rs^ That is, I y^e^ said Thomas Mayhew cannot Act w^th^out them, nor my Heyres & Assignes; Nor they y^e^ said W^m^ Pabody, Josyas Standish, & James Allen nor their Heyres & Assignes shall not doe nor Act without mee y^e^ said Thomas Mayhew or my Successo^rs^. This is also an Approbac̃on for y^e^ Land They have bought already, soe farr as it concerneth mee, I doe also allow of it. And this I doe in Considerac̃on, That they the Grantees are to pay mee six pounds, thirteen Shillings, foure pence at Boston to Cap^t^ Olliver, or M^r^ Peter Ollyver at Boston. Wittness hereunto my Hand & Seale this first day of July. 1668.

Deeds 3:67 (Sec. State)

1668 July 1

Recorded 1671 July 16

Tho: Mayhew

This is a true Coppy drawn by
the Originall by mee
Symon Atthearn.

The Governo^rs^ Łre to M^r^ Mahew.[1]

C. A. 2:533 (NYSL)

M^r^ Mahew

I Receiued yo^r^ Łre by yo^r^ Grandchild wherein I am informed upon what termes yo^u^ haue hitherto held yo^r^ Land at Martins Vineyards & parts adjacent, but y^e^ p^r^tences of S^r^ fferdinando Gorges & y^e^ Lord Sterling, being now at an end, & his Royall Highnesse absolutely invested in y^e^ Right to those Islands y^e^ Inhabitants are from henceforth to haue directions of their Governm^t^ from this place, I doe admire

1670 May 16

[1] Thomas Mayhew, Sr.

C. A. 2:533 (NYSL)

1670 May 16

it hath beene so longe before yo^{u} haue made yo^{r} application to me since yo^{r} adressing yo^{r} selfe for releife against y^{e} Indians in a businesse of a Wreck to my Predecesso^{r}, & his Co$\tilde{m}$ission to you thereupon did intimate an acknowledgm^{t} of being und^{r} his Royall Highnesse his Protection Upon notice this last yeare of y^{e} like misfortune of a Wreck upon your Island I sent directions to yo^{u} how to proceed thereupon of w^{ch} I expected an account but haue as yett heard nothing of it but when you come hith^{r} as you propose & w^{ch} I very much desire I make no question of receiuing satisfaction therein from you as well as in diuers other perticulers yo^{u} may please to take yo^{r} best tyme of coming this Su$\tilde{m}$er as you shall fynde yo^{r} selfe disposed I pray bring all yo^{r} Patents deeds or other wrytings wth you relating to those partes, by y^{e} w^{ch} & by o^{r} consultation togeth^{r} I may receiue such inteligence of y^{e} affaires there as I may y^{e} bett^{r} take ord^{r} for y^{e} future good settlem^{t} of those Islands, As to any p^{r}tenders who lay clayme to any of them w^{ch} are deemed to be wthin y^{e} Dukes Patent I haue thought fitt to appoint [*blank*] months tyme for all persons wthin this Governm^{t} or wthout eith^{r} by themselues or their Agents to appeare here before me to make good their Claymes or p^{r}tences, y^{e} w^{ch} if any of them shall neglect to doe (haueing tymely notice thereof) such claymes or p^{r}tences will be adjudged of no validity: I haue in part discourst of theise affaires wth yo^{r} Grandchild but referre the remaind^{r} untill yo^{r} arivall here where yo^{u} shall receiue a very hearty welcome & all due Encouragem^{t} as to yo^{r} perticuler Concernes from

Yo^{r} affectionate humble servant

[Francis Lovelace.]

Fort James in N. Yorke

May y^{e} 16th 1670.

I pray send Copies of y^{e} enclosed order of notice to all those about you who are concerned.

Notice giuen to all Persons Concerned in y^e^ Land called Martyns Vineyard to appeare at New Yorke. C. A. 2:538 (NYSL)

1670 May 16

These are to giue notice to all persons Concerned who lay clayme or haue any p^r^tence of Interest in Martyns Vineyard Nantuckett or any of y^e^ Elizabeth Isles neare adjacent & w^th^in his Royal Highnesse his Pattent that they appeare before me in person or by their agents to make proofe of such Claymes or p^r^tences w^th^in y^e^ space of — 4 — months after y^e^ date hereof, In default whereof all such Claymes or p^r^tences aft^r^ y^e^ Expiration of y^e^ said tyme shall be deemed and adjudged invalid to all Intents & purposes, Given unde^r^ my hand & sealed w^th^ y^e^ Seale of the Province at Fort James in New Yorke this 16^th^ day of May in y^e^ 22^th^ yeare of his Ma^ties^ Raigne Annoq3 Domini 1670.

[Francis Lovelace.]

M^r^ Mayhew Empowered by Daniell Wilcock of New Plymouth to Act for him w^th^ Co^ll^ Lovelace &c: Deeds 3:69 (Sec. State)

1670 Aug. 30

Recorded 1671 July 16

Know all Men by these p^r^sents that I Daniell Wilcock of y^e^ Colony of New Plymouth haveing two small Islands w^ch^ are within his Highness y^e^ Duke of Yorke his Patent, haveing obtained y^e^ said Islands of y^e^ Indyans, & likewise y^e^ Patent of Right from M^r^ Thomas Mayhew & Matthew Mayhew of Martins Vineyard, I y^e^ said Daniell Wilcock doe hereby desire & Empower Matthew Mayhew to Appeare on my behalfe before his Hono^r^ Co^ll^: Lovelace, in Order to y^e^ answering of his Hono^rs^ Warrant concerning Lands, & to Act therein as if I my selfe were there. And In wittness of

Deeds 3:69 (Sec. State)

y^e^ Premisses, I have hereto sett my Hand this 30^th^ of August. 1670.

Daniel Wilcock
O
his Marke.

1670 Aug. 30

Recorded 1671 July 16

Witness hereunto
John Mayhew
John Howard his marke.

The Pat^ts^ are Entred at large in y^e^ Great Booke of Records. N^o^ 6.

Here followes y^e^ Entry of all those Writeings or Instrum^ts^ That M^r^ Mayhew had granted him from the Governo^r^

Deeds 3: 59 (Sec. State)

Proposalls to y^e^ Governo^r^ from y^e^ Inhabitants of Nantuckett about settling that Governm^t^.

[1671 June] Inprimis Wee humbly propose Liberty for y^e^ Inhabitants to chuse annually a Man or Men to be chiefe in y^e^ Governm^t^, & one chosen or appointed by his Hono^r^ to stand in place, constantly invested w^th^ power of Confirmac̃on by Oath or Engagem^t^ or otherwise as his Hono^r^ shall appoint, one to be Chiefe in y^e^ Co^rt^ & to have Magistraticall Power at all times w^th^ regard to y^e^ peace, & other necessary Considerac̃ons.

2^ly^. —Wee take for graunted y^t^ y^e^ Lawes of England are the Standard of Governm^t^ soe farr as wee know them, & are suitable to our Condic̃on; yet wee humbly propose that y^e^ Inhabitants may have power to Constitute such Law or Ord^rs^ as are necessary & suitable to o^r^ Condic̃on, not repugnant to y^e^ Lawes of England.

3^ly^. =In point of carrying on y^e^ Governm^t^ from time to time,

wee are willing to joyne with o^r^ Neighbo^r^ Island y^e^ Vine-yard, to keep together one Cõ^rt^ every yeare, one yeare at o^r^ Island, y^e^ next w^th^ them, & Power at home to End all Cases not exceeding 20^ll^; And in all Cases Liberty of Appeale to y^e^ Gen^rll^ Cõ^rt^ in all Actions above 40^s^. And in all Actions amounting to y^e^ vallue of 100^ll^ Liberty of Appeale to his Highnesse his Co^rt^ at y^e^ Citty of Yorke; And in Capitall Cases, or such Matt^rs^ as concerne Life, Limbe, or Banishm^t^, All such Cases to be tryed at Yorke. Deeds 3:59 (Sec. State) [1671 June]

And seeing y^e^ Indians are numerous among us, Wee propose that o^r^ Governm^t^ may Extend to them, & power to Sumon them to our Cõ^rts^ w^th^ respect to Matt^rs^ of Trespass, Debt, & other Miscarriages, & to Try & judge them according to our Lawes, when published amongst them. = 4.

And Lastly some Military Power comitted to us, respecting our Defence, either in respect of Indyans or Strang^rs^ invadeing &c:

Recorded for y^e^ afores^d^ M^r^ Coffin & M^r^ Macy, 2 Ł^res^ or Certificates from y^e^ Inhabitants of Nantuckett—as followeth—viz^t^ Deeds 3:58 (Sec. State)

Whereas y^e^ Hon^ble^ Coll: Lovelace Governo^r^ of New Yorke gave forth his Summons for y^e^ Inhabitants of y^e^ Isle of Nantuckett to make their Appearance before his Hono^r^ at New Yorke either in their own Person, or by their Agent to shew their Claymes in respect of their standing, or Clayme of Interest on y^e^ afores^d^ Island. Now wee whose Names are underwritten haveing intrusted our ffather Tristram Coffin to make Answ^r^ for us, Wee doe Empower our ffather Tristram Coffin to Act & doe for us, w^th^ y^e^ Hon^d^ Governo^r^ Lovelace soe farr as is just and reasonable, w^th^ regard to o^r^ Interest on y^e^ Isle of Nantuckett and Tuckanuckett. 1671 June 2 and 5

Deeds 3:58 (Sec. State)

Witness o[r] Hands y[e] 2[d] day of y[e] fourth Month, Sixteen hundred & seaventy one 1671.

1671 June 2 and 5

James Coffin
Nathaniell Starbuck
John Coffin
Steephen Coffin.

This is to signify that y[e] Inhabitants of Nantuckett, have chosen M[r] Thomas Macy their Agent to Treat w[th] y[e] Hon[ble] Coll: Lovelace concerning y[e] Affayres of y[e] Island to Act for them in their Behalfe and stead, & in all Consideracons to doe what is necessary to be done in reference to y[e] Premisses, as if They themselves were personally p[r]sent. Wittness their Hands Dated June 5[th]. 1671.

Edward Starbuck
Peter ffoulger
John Rolfe.

The Inhabitants afores[d] doe also in y[e] name of y[e] rest desire M[r] Tristram Coffin to assist their afores[d] Agent what hee can in y[e] matter or Busyness concerning y[e] Island Nantuckett.

Deeds 3:60 (Sec. State)

The Answ[r] to y[e] Nantuckett Proposalls.

At a Councell held at Forte James in New Yorke y[e] 28[th] day of June in y[e] 23[d] yeare of his M[a]ties Reigne, Annoq Dñi. 1671.

1671 June 28

In Answer to y[e] Proposalls Delivered in by M[r] Coffin & M[r] Macy on y[e] behalfe of themselves & y[e] rest of y[e] Inhabitants upon y[e] Island Nantuckett; The Governo[r] & Councell doe give their Resolucons followeth.— Viz[t]

Inprimis. As to y[e] first Branch in their Proposalls, It is

thought fitt y^t y^e Inhabitants doe annually recom̃end two Persons to the Governo^r out of w^ch hee will Nominate one to be y^e Chiefe Magistrate upon that Island, & y^e Island of Tuckanuckett near adjacent for y^e yeare ensueing; who shall by Commission bee Invested with power accordingly. Deeds 3:60 (Sec. Sate) 1671 June 28

That y^e time when such a Magistrate shall Enter into his Employm^t after y^e Expirac̃on of this first yeare, shall Commence upon y^e 13^th day of October, being his Royall Highness his Birth day to continue for y^e space of one whole yeare, & that they returne y^e Names of y^e two Persons They shall recommend three Months before that time to y^e Governo^r.

That y^e Inhabit^ts have Power by a majo^r Vote annually to Elect & chuse their inferio^r Offic^rs both Civill & Military; That is to say, y^e Assistants, Constables, & other inferio^r Offic^rs for y^e Civill Governm^t & such inferiour Offic^rs for y^e Military as shall be thought needfull.

The second Proposall is allowed of; That they shall have Liberty to make peculiar Lawes and Ord^rs at their Geñ^rll Cõ^rt for the Well Governm^t of y^e Inhabit^ts y^e w^ch shall bee in force amongst them for one whole yeare; Dureing w^ch time if noe Inconvenience doe appeare therein, They are to Transmitt the said Lawes or Ord^rs to y^e Governo^r for his Confirmac̃on. Howev^r They are (as neare as may bee) to conforme themselves to y^e Lawes of England, & to be very Cautious They doe not Act in any way repugnant to them. 2^ly.

To y^e 3^d It is Granted, That they joyne w^th their Neighbo^rs of Martins Vineyard in keeping a Geñ^rll Co^rt between them once a yeare, y^e s^d Co^rt to be held one yeare in one Island, & y^e next in y^e other, where y^e Chiefe Magistrate in each Island where the Co^rt shall be held, is to p^rside, & to sitt in their respective Cõ^rts as Presid^t, but withall That upon all Occasions hee Consult & advize w^th y^e Chiefe Magistrate of y^e other Island. 3^ly.

That y^e said Geñ^rll Co^rt shall consist of y^e two Chiefe

Deeds 3 : 60 (Sec. State) Magistrates of both Islands, & ye foure Assistants, where ye Presidt shall have a Casting Voyce; for ye time of their Meeting, That it bee left to themselves to Agree upon ye most convenient Season of ye yeare.

1671 June 28

That in their private Corts at home, wch are to be held by ye Chiefe Magistrate & two Assistts where ye Chiefe Magistrate shall have but a single Voyce, They shall have power finally to determine & decide all Cases not exceeding ye Vallue of 5li wthout Appeale, but in any Sume above that Vallue, They have Liberty of Appeale to their Genll Cort who may determine absolutely any Case under 50li without Appeale, but if it shall exceed that Sume, ye Party aggrieved may have Recourse by way of Appeale to ye Genrll Cort of Assizes held in New-Yorke.

And as to Criminall Cases, That They have Power both at their private Cõrts at home as well as at ye Genrll Cort to inflict Punishmt on Offendrs soe farr as Whipping, Stocks, & Pilloring, or other publick Shame; But if ye Crime happen to bee of a higher nature, where Life, Limbe, or Banishmt are concerned, That such Mattrs be Transmitted to ye Genrll Cort of Assizes likewise.

4. In Answr to ye 4th, It is left to themselves to Ordr those Affayres about ye Indyans, & to Act therein according to their best discretions, so farr as Life is not concerned; Wherein They are also to have Recourse to New Yorke, but that They bee carefull to use such Moderacõn amongst them, That they be not exasperated, but by Degrees may be brought to be conformable to ye Lawes; To wch End, They are to Nominate and Appoint Constables amongst them who may have staves wth ye Kings Armes upon them, the better to keep their People in Awe, & good Ordr as is practized wth good Success amongst ye Indyans at ye East end of Long-Island.

To y^e^ Last, That They returne a Lyst of y^e^ Inhabitants, as also y^e^ Names of two Persons amongst them; out of whom y^e^ Governo^r^ will appoint one to bee their Chiefe Military Office^r^ That they may bee in y^e^ better Capacity to defend themselves against their Enemyes whether Indyans or others. Deeds 3: 60 (Sec. State) 1671 June 28

Commission granted to M^r^ Tristram Coffin Sen^r^ to be chiefe Magistrate in & over the Islands Nantuckett & Tuckanuckett. Deeds 3: 62 (Sec. State)

Francis Louelace Esq^r^ &c: Whereas Vpon Address made unto mee by M^r^ Tristram Coffin, & M^r^ Thomas Macy on y^e^ behalfe of themselves, & y^e^ rest of y^e^ Inhabitants of Nantuckett Island concerning y^e^ Manno^r^ & Method of Governm^t^ to be used amongst themselves; & haveing by y^e^ Advice of my Councell pitcht upon a way for them; That is to say, That They be Governed by a Person as Chiefe Magistrate, & two Assistants, y^e^ former to be nominated by my selfe, y^e^ other to be chosen & confirmed by y^e^ Inhabitants as in y^e^ Instructions sent unto them is more particularly sett forth; And haveing conceived a good Opinion of y^e^ ffittness and Capacity of M^r^ Tristram Coffin to be y^e^ p^r^sent Chiefe Magistrate to Manage Affayres w^th^ y^e^ Ayd & good Advice of y^e^ Assistants in y^e^ Islands of Nantuckett & Tuckanuckett, I have Thought fitt to Nominate, Constitute, & Appoint, & by these p^r^sents doe hereby Nominate, Constitute, & Appoint M^r^ Tristram Coffin to be Chiefe Magistrate of y^e^ said Islands of Nantuckett and Tuckanuckett; In y^e^ Managem^t^ of w^ch^ said Employm^t^, Hee is to use his best Skill and Endeavour to p^r^serve his Mã^ties^ Peace, & to keep y^e^ Inhabitants in good Ord^r^. And all Persons are hereby required to give to y^e^ said M^r^ Tristram Coffin such Respect & Obedience as belongs to a Person invested by Commission from Authority 1671 June 29

Deeds 3: 62 (Sec. State) 1671 June 29

of his Royall Highness in ye Place & Employmt of a Chiefe Magistrate in ye Islands aforesaid. And hee is duely to Observe the Orders and Instructions wch are already given forth for ye well governing of ye Place, or such others as from time to time shall hereafter bee given by mee; And for whatsoever ye said Mr Tristram Coffin shall lawfully Act or Doe in Prosecution of ye Premisses, This my Commission wch is to bee of fforce untill ye 13th day of October, which shall bee in ye yeare of our Lord 1672. when a New Magistrate is to Enter into the Employmt. shall bee his sufficient Warrant and Discharge. Given under my Hand and Seale at fforte James in New Yorke this 29th day of June in ye 23d yeare of his Mãties Reigne, Annoq3 Dñi 1671.

Fran: Louelace.

The Patents granted by his Honor to Mr Coffin & Mr Macy are Entred at large in ye Greate Booke of Records. No. 6.

Deeds 3: 74 (Sec. State)

Lettr from ye Governor to ye Governor of New Plymouth on ye behalfe of Mr Thomas Mayhew.

Sr

[1671 July]

Mr Thomas Mayhew of Martins Vineyard haveing been here wth mee to pay his Acknowledgmts; & to take out Patents of Confirmacon for ye Lands hee enjoyes at Martins Vineyard & parts adjacent wthin these his R: Hs Territoryes; At his Instance & Request, I doe recomend it you, That you'l please to graunt him some Enlargmt of Recompence for his Trouble & Paines amongst ye Indyans, soe farr as conveniently it may bee done, for his Encouragemt in his auncient Dayes; Hee together wth his deceased Sonn haveing been Instrumts of doeing much Good by thier Instructions in

bringing diverse of them to y^e^ knowledge of y^e^ Christian Religion; w^ch^ is worthey of great Commendacon; what Civility you shall doe him herein shall bee kindely acknowledged by

Deeds 3: 74 (Sec. State)

[1671 July]

S^r^

Yo^r^ affectionate humble Servant.

Fran: Louelace

M^r^ Mayhew's Instructions from y^e^ Governo^r^ M^r^ Mayhew.

Deeds 3: 71 (Sec. State)

[1671 July]

Although by yo^r^ Gen^rll^ Commission you have strength & Authority sufficient to putt such Lawes & Rules in Execucon as you shall conceive may best tend to y^e^ Distribucon of Justice, & securing the Comon Rights & Interest of such as shall live under yo^r^ Governm^t^, the keeping his Ma^ties^ peace, together w^th^ y^e^ preservacon of his Royall Highness Interest & Propriety in those parts, yet since that Commission may appeare to be too generall, I have thought fitt to p^r^scribe to you some particular Instructions, w^ch^ you are to make use of as Occasion shall serve.

In y^e^ first place, You are soe soon as you shall arrive, in some convenient time Cause a Generall Meeting to be summon'd of the Inhabitants (amongst w^ch^ I would not have y^e^ chiefe of y^e^ Indyans omitted) to whom you are to Declare y^e^ End of yo^r^ being w^th^ mee, & y^e^ Power I have invested you in, by causing your Commission to be read publiqly, together w^th^ yo^r^ Instructions.

You are then to Consid^r^ & Appoint a sett time for y^e^ Election of yo^r^ Assistants, as likewise to consid^r^ of y^e^ time when y^e^ gen^rll^ Co^rt^ shall be summon'd Of W^ch^ yo^u^ are to advertize & consult w^th^ yo^r^ Neighbo^rs^ of Nantuckett.

You are likewise to acquaint y^e^ Inhabi^ts^ y^e^ Priveledges I have graunted them by Enfranchizing them in a Towne

Deeds 3: 71 (Sec. State) [1671 July]

Corporacon, To whom yo^{u} may deliver their Chart^{r} Vpon y^{e} Receipt of w^{ch} They may proceed to y^{e} Election of their Magistrates as belongs to other Corporacons.

And in regard at this distance, & y^{e} unacquaintedness of the Inclinacons & Dispositions of y^{e} Indyans, I cannot p^{r}scribe you any Rules that may be most proper for them, I shall therefore recommend that Affaire wholly to yo^{r} prudent Managem^{t} only you may acquaint them, that haveing now taken them into his Royall Highness particular Protection, I shall bee very carefull to Assist them in all Extremityes; expecting from them noe other Returne, but that they live quietly & peaceably, wth true Submission to that Authority, w^{ch} now is sett over them.

You are to cause some of y^{e} Principall Sachems to repaire (as speedily as They can) to mee, that soe They may pay their homage to his Ma^{tie}, & acknowledge his Royall H^{s} to bee their only Lord Proprieto^{r}

You are to encourage and sett to worke y^{e} Sewan making, to whom you may give full Assurance, They shall receive sufficient Recompence for their Labour; And that that Trade may only be drove between them & this place, you are not to permitt any Shells to bee exported to fforrainers, unless they pay a considerable Custome for them.

You are not to faile to give mee a speedy Advertizem^{t} of all yo^{r} Transactions as may bee, & by all meanes lett mee heare from you, how Affayres constantly stand.

You are to see y^{e} Collection of his Ma^{ties} Customes, & all ffines bee duely observed, & you are to Assist upon all Occasions y^{e} Collecto^{r} of y^{e} Customes in y^{e} Execucon of his Office, & transmitt them to mee here.

You are to cause all such as shall bee Elected to any publick Office of Trust to take y^{e} Oath of Allegiance to his Ma^{tie} at the Entrance into their Office.

You are not to suffer any of yo^{r} Indyans to Enter into a

Confederacy of Warre, w^th^ any other forraine Indyans, without advertising mee first w^th^ it, & procuring my Permission for it. [Francis Lovelace.] Deeds 3:71 (Sec. State)

[1671 July]

The Answ^r^ to M^r^ Mayhews Proposalls. Deeds 3:75 (Sec. State)

At a Councell held at Forte James in New Yorke, y^e^ 7^th^ day of July in y^e^ 23^d^ yeare of his Mã^ties^ Reigne, Annoq̃ Dñi 1671.

1671 July 7

Whereas M^r^ Thomas Mayhew of Martins or Martha's Vineyard hath been an auncient Inhabitant there, where by Gods Blessing Hee hath been an Instrum^t^ of doeing a great deale of Good both in settling severall Plantac̃ons there, as also in reclayming & Civilizing y^e^ Indyans; ffor an Encouragement^t^ to him in prosecuc̃on of that Designe, & in acknowledgm^t^ of his Good Services, It is Ordered & Agreed upon That y^e^ said M^r^ Thomas Mayhew shall dureing his naturall Life bee Governo^r^ of y^e^ Island called Martins or Marthas Vineyard both over y^e^ English Inhabitants & Indyans for y^e^ w^ch^ hee shall have a Commission.

That for Tryall & decision of all Differences of Debt or Damage to y^e^ vallue of ffive pounds, They shall have a Co^rt^ in their Island, w^ch^ shall bee composed of y^e^ Governo^r^ there, who shall have a double Vote, and three Assistants to be Elected annually by the Inhabitants of y^e^ two Townes & Plantac̃ons upon y^e^ Island, from Judgm^t^ in any Case to y^e^ Sum̃e of five pounds aforesaid or under, noe Appeale shall bee admitted.

That all Actions & Cases of above five pound & under ffifty pound shall bee Tryed at y^e^ geñ^rll^ Court to be held by them & their Neighbours of Nantuckett, that is to say, by y^e^ Governo^r^ or Chiefe Magistrate of Martins Vineyard, & y^e^ first two Elected of y^e^ three Assistants aforemenc̃oned,

Deeds 3:75 (Sec. State)

& by ye Chiefe Magistrate of Nantuckett, & his two Assistants, where it is recommended That Mr Thomas Mayhew doe prside & sitt as President dureing his Life (although ye Court bee held at Nantuckett[)] wth priveledge of a double or Casting Voice, in regard of his great Experience & Reputacon amongst them, but after his decease that ye Rules & Instructions, wch concerne both ye Islands be punctually followed & observed.

1671 July 7

That ye first Genrll Court shall bee held upon ye Island Martins Vineyard at some convenient time to bee agreed upon between them, & their Neighbors, wch is to be Transmitted hither, at wch time annually after Approbacon had thereof that Court is to be held for ye time to come according to ye aforemenconed Instructions given to those of Nantuckett.

That Mr Thomas Mayhew as Governor over ye Indyans doe follow ye same way and Course of quiet & peaceable Governmt amongst them as hitherto hee hath done, wch will tend to their mutuall Benefitt and Satisfaction, and by Degrees bring them to Submitt to, & acknowledge his Mties Lawes Establisht by his Royall Highness in this Province.

And Lastly That ye Governmt of ye Indyans in particular shall remaine in that State & Condicon as hitherto it hath done.

By Ordr of ye Governor & Councell.

Deeds 3:70 (Sec. State)

Commission for Mr Thomas Mayhew to be Chiefe Governour of Martins als Martha's Vineyard.

1671 July 8

Francis Louelace Esqr &c: Whereas I have conceived a good Opinion of ye Capacity & Integrity of Mr Thomas Mayhew to be Governor & Chiefe Magistrate of ye Island Martins or Martha's Vineyard to manage publiq Affayres

w^th^ y^e^ Aid, & good Advice of y^e^ Assistants to be chosen there, I have thought fitt to Nominate, Constitute, & Appoint & by these p^r^sents doe hereby Nominate, Constitute, & Appoint, M^r^ Thomas Mayhew to be Governo^r^ & Chiefe Magistrate of y^e^ said Island Martins or Martha's Vineyard dureing his naturall Life, in y^e^ managem^t^ of w^ch^ Employm^t^ hee is to use his best Skill & Endeavo^r^ to p^r^serve his M̃^ties^ peace, & to keep y^e^ Inhabitants in good Ord^r^ And all Persons are hereby required to give to y^e^ said M^r^ Thomas Mayhew such Respect & Obedience as belongs to a Person invested by Commission & Authority from his Royall Highness in y^e^ Office & Employm^t^ of a Governo^r^ & Chiefe Magistrate in y^e^ Island afores̃^d^ And hee y^e^ said M^r^ Mayhew is duely to observe & obey such Orders & Instructions, w^ch^ are already given forth for y^e^ well governing of y^e^ Place, or such other Directions as from time to time hee shall receive from mee; And for whatsoever the said M^r^ Thomas Mayhew shall lawfully Act of Doe in prosecuc̃on of y^e^ Premisses This my Commission shall bee his sufficient Warrant & Discharge. Given &c: this 8^th^ day of July in y^e^ 23^th^ yeare of his M̃^ties^ Reigne. Annoq̃ Dn̄i 1671.

Deeds 3: 70 (Sec. State)

1671 July 8

[Francis Lovelace.]

Commission granted to M^r^ Matthew Mayhew to be Collecto^r^ of y^e^ Customes in & about Martins Vineyard, w^th^ y^e^ places adjacent.

Deeds 3: 73 (Sec. State)

Francis Louelace Esq^r^ &c: To all to whom these Presents shall come sendeth Greeting. Whereas It is Ordered & appointed That his M̃^ties^ Customes are to be paid for all Customable Goods, w^ch^ are or shall be imported into, or exported from these his Roy̅^ll^ Highness his Territoryes, from w^ch^ noe Place or Person within y^e^ Governm^t^ hath y^e^ Privel-

1671 July 8

Deeds 3: 73 (Sec. State)

edge to be exempted; I have therefore thought fitt to Constitute & Appoint, and by these Presents doe Constitute & appoint Matthew Mayhew to be Collector & Receiver of ye Customes of all such Customable Goods as now are or shall bee brought into ye Harbour at Martins Vineyard, or any other Creek or Place upon ye Island, or Jurisdiction thereof; And ye said Matthew Mayhew hath by this my Commission full power & Authority to doe, all lawfull Acts & Things relating & belonging unto ye said Employmt Hee following such Directions and Instructions for ye same as hee shall from time to time receive from mee, or from ye Chiefe Officer of ye Customes of this place; to whom hee is to render a due Accot of all Particulars relating to his Employmt And all Officrs upon that Island or parts & Places adjacent wthin this Governmt are to bee ayding & assisting unto ye said Matthew Mayhew in ye prosecuc̃on of his Office, as they will answer ye contrary at their utmost perrills. Given under my Hand & Seale at fforte James in New Yorke this 8th day of July in ye 23th yeare of his Mãties Reigne, Annoq̃ Dñi 1671. [Francis Lovelace.]

1671 July 8

Deeds 3:71 (Sec. State)

Lycence for Mr Thomas Mayhew to purchase Land &c:

1671 July 12

Whereas Mr Thomas Mayhew Senr & Mr Thomas Mayhew Junr his Son have for many yeares past been seated and possest of Lands upon Martins or Martha's Vineyard, of which by vertue of Grants from ye Lord Sterlings Agent, They made Purchase of ye Indyans, & hitherto have enjoyed ye same, for ye wch, ye said Mr Thomas Mayhew Senr, & Matthew ye Sonn & Heyre of Thomas Mayhew Junr have now Patents of Confirmac̃on by Authority from his Royall Highness. And there being severall other parcells of Land

upon y^e^ said Island capable of Improvem^t^, y^e^ w^ch^ as yett have not been bought of y^e^ Indyan Proprieto^rs^, soe lye wast & unmanured; These Presents Certify & Declare, That I doe hereby give free Leave & Lycence unto M^r^ Thomas Mayhew & M^r^ Matthew Mayhew his Grand childe in his Royall Highness his Name to Treat, Agree upon, & Conclude w^th^ y^e^ Indyan Proprieto^rs^ of y^e^ said Land undisposed of, & upon y^e^ Returne thereof unto mee, I shall bee ready to Graunt such Confirmac̃on as shall bee requisite. Given under my Hand & Seale at fforte James in New York y^e^ 12^th^ day of July in y^e^ 23^d^ yeare of his M̃a^ties^ Reigne, Annoq̃ D̃ñi 1671. [Francis Lovelace.]

Deeds 3:71 (Sec. State)

1671 July 12

Licence to Purchase &c: granted unto M^r^ Richard & Cap^t^ Jn^o^ Gardner of Nantuckett.

Deeds 3:87 (Sec. State)

Whereas M^r^ Richard Gardner, & Cap^t^ Jn^o^ Gardner his Brother, having Declared unto mee their Intent of Vndertaking the Designe of a ffishing Trade upon the Island of Nantuckett & parts adjacent, if they may have Licence to buy and make Purchase of some Land by the Sea-side or elswhere of the Indyan Natives Proprietors for their Accomodation; for an Encouragement unto them the said M^r^ Richard and Cap^t^ John Gardner in their Undertakings of the designe aforesaid; I have thought fitt to give and grant, and by these Presents doe hereby Give and Grant Liberty and Licence unto the said M^r^ Richard and Cap^t^ John Gardner and their Associates to buy and make Purchase of some convenient quantity or Tract of Land for the use aforesaid, or for Improvement thereof, of the said Indyan Proprietors, not yet made Purchase of by the rest of the Inhabitants, for the which when Returne shall bee made of the quantity

1673 Apr. 15

Deeds 3: 87 (Sec. State)

thereof, together with its Buttings and Boundings, the said Mr Richard and Capt John Gardner, and their Associates may have a Patent of Confirmation by Authority of his

1673 Apr. 15

Royall Highness under the Seale of the Province. Given under my Hand & Seale at Fort James in New Yorke this 15th day of Aprill in the 25th yeare of his Maties Reigne, Annoqe Domini 1673.

Fran: Lovelace

Deeds 3:87 (Sec. State)

Commission for Mr Richd Gardner to bee Chiefe Magistrate of Nantuckett & Tuckanuckett.

1673 Apr. 15

Francis Lovelace Esqr, One of the Gentlemen of his Maties Honble Privy Chamber, & Governor Genall under his Roȳll Highness James Duke of Yorke & Albany &c: of all his Territoryes in America; To Mr Richard Gardner of Nantucket sendeth Greeting.

Whereas according to the Directions & Instructions by mee given on the behalfe of his Royall Highness for the Government of the Islands of Nantuckett & Tuckanuckett, the Inhabitants thereof at the time appointed have chosen two persons whose Names they have returned hither for my choice and approbation of one of them to bee Chiefe Magistrate of the said Islands, and having conceived a good Opinion of the fittness & capacity of Mr Richard Gardner (who is one of the two returned) to manage Affayres there with the aid and good advice of the Assistants to bee chosen amongst themselves, I have thought fitt to Nominate, Constitute, & Appoint & by these Presents doe hereby Nominate, Constitute, & Appoint Mr Richard Gardner afore-named to bee Chiefe Magistrate of the said Islands of Nantucket and Tuckanuckett. In the Management of which Employment,

hee is to use his best Skill and Endeavour to preserve his Ma^ties Peace & to keep the Inhabitants in good Order. And all persons are hereby required to give the said M^r Richard Gardner such respect & Obedience as belongs to a person invested by Commission & Authority of his Royall Highness in the place and employment of a Chiefe Magistrate in the Islands aforesaid. And hee the said M^r Richard Gardner is duely to observe the Orders and Instructions which are already given forth for the well governing of the Place, or such others as from time to time shall hereafter bee given by mee his Royall Highness Governo^r. And for whatsoever the said M^r Richard Gardner shall lawfully Act or doe in prosecution of the premisses, This my Commission (which is to continue & bee in force untill the next Election, & my returne of approbac̃on of a New one in his place) shall bee his Sufficient Warrant and Discharge. Given under my Hand, and Sealed with the Seale of the Province at Fort James in New Yorke this 15^th day of Aprill in the 25^th yeare of his Mā^ties Reigne, Annoq^e Domini 1673.

Deeds 3:87 (Sec. State)

1673 Apr. 15

Fran: Lovelace

Commission for Cap^t John Gardner of the Island of Nantuckett to bee Cap^t of the Foot Company there.

Deeds 3:88 (Sec. State)

Francis Lovelace Esq^r &c: Governo^r Geñ^all under his Royall H^s James Duke of Yorke & Albany &c: of all his Territoryes in America.

1673 Apr. 15

To Cap^t John Gardner of y^e Island Nantuckett.

Whereas You are one of the two persons returned unto mee by the Inhab^ts of your Island, to bee the Chiefe Military Officer there, having conceiv'd a good Opinion of your fitt-

Deeds 3:88 (Sec. State)

ness & capacity: By Vertue of the Commission & Authority unto mee given by his Royall Highnesse James Duke of Yorke & Albany, I have constituted and appointed, and by

1673 Apr. 15

these Presents doe hereby Constitute & Appoint you John Gardner to bee Captaine & Chiefe Military Officer of the ffoot Company risen or to bee risen within the Islands of Nantuckett and Tuckanuckett. You are to take the said Company into your charge & care as Captaine thereof, and them duely to exercize in Armes; and all Officers and Souldyers belonging to the said Company are to obey you as their Captaine. And you are to follow such Orders and Instructions, as you shall from time to time receive from mee or other your Superiour Officers according to the discipline of Warr; for the doeing whereof this shall bee your Commission. Given under my hand and Seale at Fort Jaines in New Yorke this 15th day of Aprill in the 25th yeare of his Maties Reigne Annoqe Domini 1673.

Fran: Lovelace

Deeds 3:85 (Sec. State)

Nantuckett Affayres.

Additional Instructions & Directions for the Government of the Island Nantuckett sent by Mr Richard & Capt Jno Gardner Aprill ye 18th 1673.

1673 Apr. 18

Inprimis, That in regard ye Towne upon ye Island of Nantuckett is not known by any peculiar or particular Name, It shall from hence forth bee called & distinguished in all Deeds, Records, and Writing by the name of the Towne of Sherborne upon the Island Nantuckett.

That all ancient & obsolete Deeds, Grants, Writings, or Conveyances of Lands upon the said Island shall bee esteemed of noe fforce or Validity, but the Records of every

ones Clayme or Interest shall beare Date from the first divulging of the Patent granted to the Inhabitants by Authority of his Royall Highnesse, and soe forward, but not before the Date thereof. Deeds 3: 85 (Sec. State) 1673 Apr. 18

That the time of Election of the Chiefe Magistrate, & other Civill Officers bee & continue according to the Directions & Instructions already given, but in regard of the distance of the Place, & y^e^ uncertainty of Conveyance betwixt that & this Place, y^e^ chiefe Magistrate & all the Civill Offic^rs^ shall continue in their Employm^ts^ untill the Returne of the Governo^r^ Choice & Approbacon of a New Magistrate bee sent unto them, which is to bee with the first convenient Opportunity.

That in case of Mortality, if it shall please God the Chiefe Magistrate shall dye before y^e^ Expiration of his Employment, the Assistants for the time being shall manage, & carry on y^e^ Affayres of the Publick untill the time of the new Election, & y^e^ Governo^rs^ Return & Approbation of a new Magistrate in his stead.

That the Chiefe Military Officer shall continue in his Employm^t^ during the Governo^rs^ Pleasure, and that hee have Power to appoint such Persons for inferiour Officers, as hee shall judge most fitt and capable.

That in Case of the Death of the Chiefe Military Offic^r^ during the time of his Employment, that then the Inhabitants doe forthwith make Choice of two Persons, & returne their Names unto the Governour, who will appoint one of them to bee the Officer in his stead.

That in regard y^e^ Generall Co^rt^ to bee held in y^e^ Island Nantuckett or Martins Vineyard is but once in the yeare, where all Causes or Actions are tryable without Appeale to y^e^ Sum̃ of fifty pounds, Liberty bee granted to try all Actions of Debt or Tresspass at their Ordinary Courts to the value of Ten pounds without Appeale, Vnless upon

Deeds 3:85 (Sec. State)

Occasion of Error in y^e^ Proceedings there bee Cause of Complaint from y^e^ Ordinary Court unto the Generall Court, or from the Gen^all^ Court to the Court of Assizes.

1673 Apr. 18

That what is granted in the Generall Patent to the Inhabitants, ffree-holders, of the Island Nantuckett is to bee understood, unto them alone who live upon the Place & make Improvem^t^ thereof, or such others who having pretences of Interest shall come to Inhabitt there. Given under my Hand at Fort James in New Yorke the day & yeare aforewritten; & in y^e^ 25^th^ yeare of his Mā^ties^ Reigne.

[Francis Lovelace.]

Deeds 3:89 (Sec. State)

A Letter from the Secretary to y^e^ Inhabit^ts^ of Nantuckett.

New Yorke Apr̄: y^e^ 24^th^ 1673.

1673 Apr. 24

Gent̄.

By the Governo^rs^ Ord^r^ I am to acquaint you, That hee receiv'd your Letter (bearing Date the 3^d^ day of Aprill about 3 weeks since, by the hands of M^r^ Richard Gardner together with eight Barrells of ffish for two yeares Acknowledgment, and a Token of fifty weight of ffeathers, for which your care of the former, and kindnesse in the Latter hee returnes you thanks; There came to the Governo^r^ in the Winter a Letter from M^r^ Tristram Coffin about your Election, but noe other from you; in answer to which you had heard from him sooner, but the difficulty of Conveyance hindred. You will now understand the Governors choice by the Bearers hereof M^r^ Richard and Cap^t^ John Gardner: That is, M^r^ Richard Gardner for Chiefe Magistrate this yeare, & Cap^t^ John Gardner for Chiefe Military Officer, for which they have Commissions. They have also with them some Additionall Instructions and Directions to Communicate to you;

most of which were proposed by those two ffriends you sent, who have prudently managed the Trust you reposed in them. They have also with them a Booke of the Lawes of the Government, & three Constables Staves: As to your Non-performance of the Acknowledgment according to strictness of time, his Honor being sensible, That Opportunityes doe not very frequently present between these Places, hee is very well satisfyed with your Civill Excuse. If at any time you have other Proposalls to make for the Good of yor Inhabitants, you may rest assured of his Honors ready Complyance therein. This is all I have in charge to deliver unto you from the Governour, Soe take Leave & subscribe

Deeds 3:89 (Sec. State)

1673 Apr. 24

Gent.

Yor Very humble Servant

Matthias Nicolls.

No. XIX.

ALBANY AFFAIRS AND PACIFICATION OF THE MOHAWKS.

[Lovelace to Henry Pawling.]

O. W. L. 2:482 (NYSL)

Herry

Yor Letter of ye 5th Instant I answered, since, which I received another of 17th ditto, I thanke you for yor frequent letters, I approue very well of yor advancing the peace with ye Indyans: Though I must confesse it had beene better, had the appearance of yor formality of the Magistrates of Esopus concerned them selues here: I cannot imagine how that peace will bee of any duracon, in regard the Macquas will not accord with the Mappingo's [*sic*] and other nacons

1669 July 25

O. W. L. 2:482 (NYSL)

1669 July 25

of that side of Hudsons River and there being so great a Correspondence with them of the Esopus, Cuttskill &c that hee that attach the one must neede injure the other, since in all extremityes they will haue a recourse one to the other. I am endeavouring to make it a generall peace, and doubt not but to accomplish it, for if the Indyans under Mr Winthrop bee but as pliable as our Indyans the worke is allready done; you may on all occasions assure them so, it will relieue their doubt much, when they see but a possibility for a generall peace. For y[e] Oare you sent mee, I haue tryde it and find it right But with all, I desire a greater quantity to bee sent mee by the next convenience for the Last was so little that I could hardly make a Tryall. For the Land you relate to bee neare ye Mine pray take it up for mee and if it bee in such a place as it may render it Comunicable to other I will settle it. For ye Washmakers Land, I shall not dispose it, till I heare out of England Pray proceed vigorously toward the settlemt of yor Towne, and I will invest you with sufficient Authority to administer Justice amongst them I haue from England advertisement of 200 Scoth familyes that are to bee transported hether (if so) I purpose to settle them neare you that so you may strengthen each other ye better, Comend mee to the Magistrates there and the Rest and beleeue mee to bee

Yor Loving freind
Fran: Lovelace

Fort James the 25th
day of July 1669.

O. W. L. 2:485 (NYSL)

[Lovelace to the Magistrates at Albany.]

Gentlemen

1669 July 26

My last to you was about the letting out the great Pacht or Tappers Excise for ye yeare ensueing for the wch I therein

gaue you some Instructions I then also required you, that the double Excise for liquo[rs] goeing up to Albany is taken off, it being onely to bee paid here. O. W. L. 2: 485 (NYSL)

In answer to yo[r] letters concerning the peace betweene the Indyans, I doe very well approve of what you haue already done, and shall desire you continue yo[r] best Endeavo[rs] for y[e] Promoting of it to effect. I haue given an acc[t] of all yo[r] proceedings about it to the Macquaes part unto M[r] Winthrop, from whome I every day expect an answer, how farre hee hath wrought with those Indyans about him, as also an agreement upon the place where the meeting shall bee, for y[e] conclusion of the peace whether if in this City or not. 1669 July 26

I am informed that the Macquaes haue made a peace with y[e] Esopus Kattskill and other Indyans adiacent but haue excluded the Poppingoes [*sic*] which will bee an occasion of breach of it againe unlesse they bee included, also there being so great affinity and correspondence betweene them and those other Indyans. When I receive letters from Governo[r] Winthrop You shall heare further from mee concerning this matter in the meane time yo[r] Care and prudence in the management of Affaires with y[e] Macquaes will bee very acceptable to

Yo[r] affectionate freind
Fran: Lovelace

New Yorke this 26[th]
of July 1669.

[Lovelace to the Magistrates at Albany.] C. A. 2: 424 (NYSL)

Gentlemen

I haue Rec[d] yo[rs] of *y*[e] 5[th] Instant w[th] some further propositions from y[e] Maques Indians whereto I can at present 1669 Oct. 13

C. A. 2:424 (NYSL)

say little or nothing untill Governour Winthrop retorne wch is dayly expected but that I am glad they continue in so Calme & peacable myndes notwithstanding their last victory.

1669 Oct. 13

I haue also an Account from youn of ye Election of yor Comissaryes, And doe approue of Captn Philip Pieter Schuyler for Albany in ye place of Mr Jacob de Hinse, & of Pieter Meenssen in ye stead of Jan Thomas for Renzlaerswijck, wch is all at prsent from

Yor very Loving freind
[Francis Lovelace.]

ffort James in New Yorke
this 13th day of October.
1669.

C. A. 2:426 (NYSL)

The Governors Łre to ye Schout & Comissaryes at Albany.[1]

Gentlemen

1669 Oct. 27

The Governor hath receiued ye Propositions youn sent from ye Matucander Indians a Copy whereof he doth intend to transmitt to Gouernour Winthrop from whome he dayly Expects a retorne of all ye former papers of wch youn will haue an Acct The Gouernor hath giuen me Ordr to acquaint youn that he would haue youn as formerly to prouyde a Scow to help ye Souldiers in their provision of firewood against winter wch is all at prsent from

Yor very Loving freind
Matthias Nicolls

Octobr 27th 1669.

To ye Schout & Coñissaryes at Albany.

[1] The original heading, as is evident, is erroneous; but Nicolls wrote in his secretarial capacity for Lovelace.

The Gouernoʳˢ Łre to Governoʳ Winthrop

C. A. 2:445 (NYSL)

Deare Sʳ

1669 Dec. 29

I am heartily sorry so sad an Occasion as yᵉ Indisposic̃on of yoʳ wife obstructed yoʳ retorne to yoʳ house but am as well pleased at her recovery & thereby yᵉ advantage I shall reape by a more frequent Correspondency, if all my Letters arriu'd yoʳ hands youʳ will fynde them of one Tenure (vizt) yᵉ Earnest desire of yᵉ Macqueses to conclude a firme peace wᵗʰ yᵉ Mahicands what overtures (of this nature they haue made before) I cannot be inform'd in & I am apt to belieue what they now represent to be (as farre as Infidells are to be Creditted) very Cordiall, Youʳ see their propositions & having had yᵉ Experience of their Actings formerly you can best giue a Judgmᵗ of yᵉ Event, to be briefe (if it can be accomplis'ht) I doubt not but it will very much tend to yᵉ good of all Xp̄ians in their tranquility & to yᵉ Advancemᵗ of Trade (yᵉ first step to plenty) How farre youʳ belieue me to be Capable to promote that designe I shall receiue Instructions from youʳ but I am apt to belieue yᵉ Progresse will be very slow if it be manag'd by Letters there will be therefore a necessity of an Intercourse wᶜʰ I shall attend when I know from youʳ yᵉ Tyme & place, For those Exceptions youʳ inferre of yᵉ tyme & place & Jelousy yᵉ Mahicanders Conceiue of yᵉ Maquesyes by reason of some former misactings yᵉ others use yᵉ same Arguments against them & if true (rebus sic stantibus) there is little hopes of a period, but if all former miscarriages are oblitterated & we enter on a Treaty de novo tis possible a good issue may be Expected Howeuer all faire Endeauours are to be practised that may accomplish so universall a benefitt to this Corner of yᵉ world, I beleeue I can resolue yoʳ doubt concerning what is meant by yᵉ high Land Indians amongst us yᵉ Wappingoes & Wickerskeck &c haue alwayes beene reckoned so And for those I dare

C. A. 2:445 (NYSL)

1669 Dec. 29

respond to haue them included in y^e^ Gen^r^l peace thus yo^u^ see how that affaires now stand, & though y^e^ Churlishnesse of y^e^ weather will not suffer us to Acte any further (y^e^ well wishes towards it) Yett as soone as y^e^ wayes be passable I shall be glad to giue yo^u^ a meeting that so we may consid^r^ y^e^ best way & method to bring this worke to a desird Conclusion I haue no more but wishing yo^u^ all happinesse & a beleef that I am

Yo^r^ most affectionate
humble servant
Fran Louelace.

Fort James Decemb^r^ 29^th^. 1669.

I know not if that Letter miscarryed wherein I enclosed my Grattitude for yo^r^ noble p^r^sent w^ch^ if [it] did for y^e^ p^r^sent pray accept of this w^th^ an assurance when any thing p^r^sents itselfe worthy of yo^u^ I shall then fynde a way to direct it to yo^u^

The Postscript.

S^r^

I giue yo^u^ hearty thanks for yo^r^ news as likewise that book of y^e^ Relation of Mount Ætna though that ariv'd to my hands by M^r^ Delavall in recompence of w^ch^ this day I receiued Lres both from England & Holland Those from England wryte of y^e^ Certainty of y^e^ Death of y^e^ Queene Mother for w^ch^ y^e^ whole Court is in mourning & are like to Continue till Easter y^e^ Duke of Buckgingham is made Lord High Steward of Oxford y^e^ Duke of Ormond Chancellor of Oxfourd y^e^ L^d^ Roberts is gone for Ireland in y^e^ quallity of Lord Lieuetent of it M^r^ Henry Howard is well rec^d^ at ffosse by Taffeletta & his negotiation like to succeed According to desires.

The Gouernorˢ Łre to yᵉ Comissaryes at Albany. C. A. 2:457 (NYSL)

Fort James in New Yorke this 24ᵗʰ day of January 1669.

Gentlemen

I Receiued yoʳ Lettʳ of yᵉ 8ᵗʰ of January by yᵉ Indian, by wᶜʰ I understand of yoʳ health & welfare wᶜʰ to me was a most welcome New Yeares guift, & as it hath beene my sole Consideration yoʳ peace & happinesse so yᵉ continuance of it shall be my chiefest study, I am glad all yᵉ Indians are so well disposed as to Imploy themselues to yᵉ Beauer hunting, I doubt not but yoᵘ will receiue yᵉ good effects of it by yoʳ next yeares handling by wᶜʰ tyme I am in greate hopes to Constitute a firme peace wᵗʰ yᵉ Indians now in Hostility wᵗʰ each othʳ & am sorry I haue hitherto brought it to no greater perfection but must wᵗʰall assure yoᵘ yᵉ fault lay not in yᵉ least on my parte in regard Mʳ Winthrop who gouernes those Indians (by an Accident of yᵉ indisposition of his wife) has beene absent from his Gouernemᵗ all this sum̃er & Retorn'd not till yᵉ Churlishness of yᵉ wintʳ forbad all manner of Intercourse, In yᵉ springe I am resolued to proceed in yᵉ worke of making a Genʳˡˡ peace, To wᶜʰ end I haue already made some pʳperation thereunto wᶜʰ I beseech God to blesse, It tending so much to yᵉ uniuersall benefitt of theise partes & perticuler yours. There is not any thing of moment yoᵘ haue in perticuler Recomended to me if yoᵘ had I should haue answered yoʳ desires, If any thing falls out in yᵉ Interim I must recom̃end it to yoʳ prudent managemᵗ till I haue yᵉ fauour to see yoᵘ wᶜʰ I purpose this sum̃er In yᵉ meane tyme I recomend yoᵘ to yᵉ protection of him who is able to stand by yoᵘ in all Extremityes wᶜʰ God I beseech to blesse & guide yoᵘ & him who is

1669/70 Jan. 24

Yoʳ assured freind

Fran Louelace.

C. A. 2:489 (NYSL)

1670 Apr. 11

The Governo^rs Lett^r to Capt^n Louelace.

Broth^r

I Rec^d yo^rs of y^e 2^d of Aprill 1670 by Jaques Cortelijau & haue not since had an oppertunity to retorne you an answer, neither was I much solicitous so to doe for my Expectations, were to see you here dayly but understanding of new resolutions yo^u haue taken of goeing up to Albany, & M^r Delavalls occasion likewise calling him thith^r I am uery willing yo^u should accompany him, & y^e rather in regard some Publique affaires will occurr w^ch will require y^e Assistance of some Commission^rs for their dispatch, You are therefore to assist M^r Delavall in y^e Execution of such things as shall tend to y^e good & welfare of those partes & likewise if any priuate businesse shall fall und^r yo^r consideration, to determyn it as shall be agreeable to Justice & y^e satisfaccõn of y^e oppressed amongst w^ch here haueing beene a Complaint exhibited against Capt^n Baker by Jochem y^e Baker & findeing it not onely difficult but too tedious to decide y^e Controuersy here, I haue thought it good to transferr y^e matt^r to y^e Magistrates at Albany togeth^r w^th M^r Delavall & yo^r selfe as Comission^rs who by this are as fully declared to be & Acte as Commission^rs as if authorized by y^e formality of a Comission, I know yo^u will be vigilant to haue an inspection into all matters that shall relate to y^e Publique both as to y^e Garrison & Civill affayres y^e Account whereof I shall expect from you both not doubting but that yo^u will comport yo^r selfe w^th such prudence & moderation as shall tend to y^e firme Establishm^t of y^e Publique interest there & giue me an occasion to subscribe [illegible] selfe

Yo^r affectionate brother

Fran: Louelace

Fort James 11^th of Aprill 1670.

Instructions for Mr Thomas Delavall & Captn Dudly Lovelace at their Arivall to Albany. C. A. 2:490 (NYSL

[1670 Apr. 11]

1. That they show Mr Winthrops Lettr to me to ye Magistrates there & consult what is best to be done to ye Accomplishmt of a peace betweene ye Maquases and North Indians.

2. To see what Condition ye Garrison is & to Contrive a way for ye reperation of ye ffort

3. To state ye Souldiers Accounts & informe me what is due to them that so they may be supplyed

4. To see in what reperations ye Confiscated houses are & (if an advantagious proffer happens) to contract for ye sale of them

5. To see how ye Excise is paid & what is in Arrears & to farme it anew for ye yeare ensueing.

6. To Examyne into Mr Renslaers Rent of Corne & what he is behynde & to speed hither as likewise to put it in a certaine method.

7. To acquaint ye Magistrates that I look upon that Church & Ministry as the Parochiall Church of Albany (for so it was found Establis'ht by my prdecessor & myselfe) & leaue ye supportation of it to ye discretion of ye magistrates to maintaine a minister eithr by way of Taxe or otherwise & that no Inhabitant of what opinion soever be Exempt but beare his proportion, & that they giue me an Account of their transactions in this perticuler.

8. To make a prohibition that no strangers coming from hence or goeing from Albany that haue no residence at Schanecktade do trade there & that ye Inhabitants of that place be likewise lymitted as to their Trade wth ye Indians

[25]

C. A. 2:490 (NYSL)

[1670 Apr. 11]

9. To inquire if it were not more advantagious to y^e^ Towne of Albany to haue anoth^r^ house for y^e^ Indians at y^e^ Entrance of y^e^ Towne below y^e^ Hill that so y^e^ Inhabitants may haue an Equall benefitt of y^e^ Trade as well those that are below as those aboue

10. To prosecute y^e^ designe of raysing a Troop of horse there of y^e^ w^ch^ I recomend M^r^ Renslaer to be Capt^n^

Col. MSS. 22:104 (NYSL)

ffrancis Louelace Esq^r^ &c. To Silvester Salisbury Lieu^t^.

1670 July 13

By vertue of y^e^ Comission & authority vnto me given by his R. H^s^ James D. of Y. & Albany &c. I do constitute & appoint you Silvester Salisbury, & you are hereby Constituted & appointed to bee Lieutenant of a Company of Foote under my Comand & Comander in Cheife of the Garrison at Albany, You are to take into yo^r^ Charge & Care the s^d^ Garrison under mee & duly to exercise both yo^r^ Inferio^r^ offic^rs^, & souldy^rs^ in armes, & to vse yo^r^ best Care, skill & Endeavo^rs^, to keepe them in goo[d] order & discipline, Hereby requiring all Inferior Offic^rs^ & souldyers (under yo^r^ Comand) to obey you as their Lieu^t^. And you are likewise to observe & follow such orde[rs] & directions, as you shall from time to time receive from mee, or other yo^r^ Superio^r^ Offic^rs^ according to y^e^ discipline of Warre, Given under my hand & seal at ffort James in New Yorke this 13^th^ day of July 1670

[Francis Lovelace.]

An Ensignes Comission to C. D. Lovelace[1] —same date.

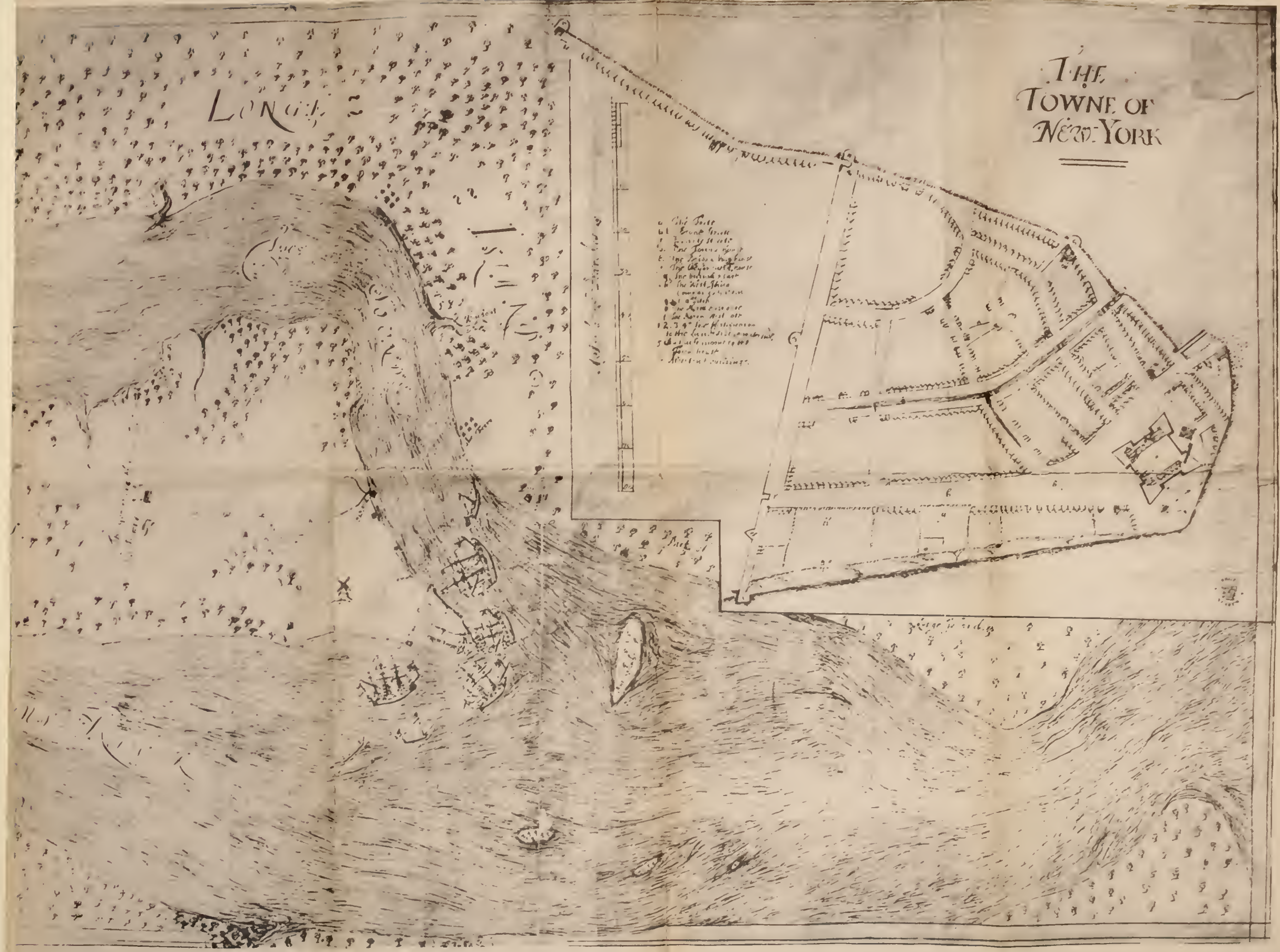
[1] Captain Dudley Lovelace.

See Analytical Index
Vol. III.

Published in 1910 by the State of New York through Victor Hugo Paltsits, State Historian, to accompany "Minutes of the Executive Council of the Province of New York", Vol. I.

PLAN OF MANHATTAN ISLAND AND ENVIRONS, WITH INSET PLAN

The so-called Nicolls Map, from the Original Pen and Ink Drawing in the British Museum, London, England, Additional Manus



OF NEW YORK CITY, *circa* 1665

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